

**REPORT TO THE CITY COUNCIL
FOR AMENDMENTS TO THE
REDEVELOPMENT PLANS
FOR THE
MERGER NO. 2 REDEVELOPMENT PROJECT**

Prepared for:

**THE REDEVELOPMENT AGENCY
OF THE
CITY OF FRESNO**

OCTOBER 2010

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**REPORT TO THE CITY COUNCIL
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I. INTRODUCTION

This Report to the City Council ("Report") for the proposed adoption of amendments to the Constituent Plans for the Merger No. 2 Redevelopment Project has been prepared for the Redevelopment Agency of the City of Fresno ("Agency") pursuant to Sections 33333.11(h), 33451.5(c) and 33352 of the California Community Redevelopment Law ("CRL"). As discussed in Section II of this Report, the purpose of the proposed Amendments to the Merger No. 2 ("Amendments") Redevelopment Plans ("Plans") is to amend specific time and financial limits, and extend the Agency's ability to use eminent domain to acquire property within the Project Area (excluding properties on which persons lawfully reside). These Amendments would enable the Agency to continue implementing its program of blight elimination within the Merger No. 2 Project Area ("Project Area").

The Project Area was created by the merger of the Fruit/Church and Southwest Fresno GNRA Redevelopment Areas in 1998. The Fruit/Church Redevelopment Plan was adopted in 1971 and the Southwest Fresno GNRA Redevelopment Plan was adopted in 1969.

As part of the process of amending the Plans, the CRL requires that specific information be provided to the City Council of the City of Fresno ("City Council") prior to the adoption of the proposed Amendments. Included in this Report are the required contents organized in accordance with Section 33333.11(h) of the CRL.¹ The required contents of the Preliminary Report and the location of each required element in this Report are outlined in Table 1.

(Continued on the next page)

¹ Per Section 33354.6(a) of the CRL, the Agency is following the same procedures that would be followed for the adoption of a new redevelopment plan. However, this Report does not contain the analysis of urbanization of the Project Area per Section 33344.5(c) because each of the constituent Project Areas were determined to be urbanized at the time of their respective adoption.

Table 1: Organization and Contents of the Report

CRL SECTION NO.	SUBDIVISION	REPORT SECTION
33333.11(e)(1)	A map of the Project Area that identifies the portion, if any, of the Project Area that is no longer blighted, the portion of the Project Area that is blighted, and the portions of the Project Area that contain necessary and essential parcels for the elimination of the remaining blight.	IV
33333.11(e)(2)	A description of the remaining blight.	IV
33333.11(e)(3)	A description of the projects or programs proposed to eliminate the remaining blight.	V
33333.11(e)(4)	A description of how the projects or programs will improve the conditions of blight.	VI
33333.11(e)(5)	The reasons why the projects or programs cannot be completed without extending the time limits on the effectiveness of the plan and receipt of tax increment revenues.	VI
33333.11(e)(6)	The proposed method of financing these projects or programs. This includes the amount of tax increment revenues that is projected to be generated during the period of the extension, including amounts to be deposited into the Low and Moderate Income Housing Fund and amounts to be paid to affected taxing entities.	VII
33333.11(e)(7)	An amendment to the Agency's implementation plan that includes, but is not limited to, the Agency's housing responsibilities pursuant to Section 33490.	VIII
33333.11(e)(8)	A new neighborhood impact report as required by subdivision (m) of CRL Section 33352.	IX
33333.11(e)(9)	A description of each bond sold by the Agency to finance or refinance the Projects prior to six months before the date of adoption of the proposed Amendments, and listing for each bond of the amount of remaining principal, the annual payments, and the date that the bond will be paid in full.	X
33333.11(h)(2)	The report and recommendation of the planning commission.	
33333.11(h)(3)	A negative declaration, environmental impact report, or other document that is required in order to comply with the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code).	
33333.11(h)(2)	A summary of consultations with affected taxing entities.	
33333.11(h)(2)	A summary of consultations with residents and community organizations, including the project area committee, if any.	

II. REASONS FOR AMENDMENT TO THE REDEVELOPMENT PLANS FOR THE MERGER NO. 2 PROJECT AREA

A. THE PROPOSED AMENDMENTS

The Agency proposes to increase the time limit for the effectiveness of the Plans (plan duration) and the time limit to receive tax increment and repay indebtedness by ten (10) years; increase the tax increment limits; and extend the time limits to utilize eminent domain. A summary of the proposed amendments is shown on Table 2.

Table 2: Summary of Proposed Amendments

Amendment	SWGNRA		Fruit/Church	
	Current Limit ²	Proposed Limit	Current Limit ²	Proposed Limit
Extend the time limit on the effectiveness of the plan by 10 additional years.	1/14/2012	1/14/2022	10/7/2014	10/7/2024
Extend the time limit on the payment of indebtedness and receipt of property taxes by 10 additional years.	1/14/2022	1/14/2032	10/7/2024	1/14/2034
Extend the time limit for the utilization of eminent domain by 12 years. ³	12/17/2010	January 2023	12/17/2010	January 2023
Increase tax increment limit	\$113,000,000	\$339,000,000	\$21,000,000	\$63,000,000

B. CONTINUED NEED FOR AGENCY ASSISTANCE IN REDEVELOPING THE PROJECT AREA

The Project Area includes one of the oldest neighborhoods in the City of Fresno ("City"). Development in the Project Area began in the mid- 1800s with the growth and development of the downtown and the adjacent Central Pacific Railroad right-of-way. Subsequent development in the City occurred to the north of downtown and the Project Area declined along with the downtown during the outmigration of businesses and northward expansion of the of City. Redevelopment Plans were adopted for the Southwest Fresno GNRA and Fruit Church Project Areas in 1969 and 1971, respectively, to enable the Agency to devote resources to the revitalization of southwest Fresno. Originally called Southwest Fresno, in 1977 the area was renamed the Edison Community and the City adopted the *Edison Community Plan* to guide land use and development in the area.

² Current limits include time extensions of 3 years as provided for in the CRL due to payments by the Agency into the Educational Revenue Augmentation Fund (ERAF).

³ The actual time limit will be 12 years from the effective date of the ordinance adopting the amendment (thirty days after adoption). The amendments are assumed to be adopted in December 2010.

The decentralization of business and economic activity away from downtown in the 1960s onward left the downtown and West Fresno without access and proximity to the job and economic growth occurring in the suburbs to the north. Several persistent pervasive issues continue to affect the Project Area:

- A high proportion of the population is employed in the agricultural sector; there is a need to assist in encouraging the development of jobs and job training in other sectors of the economy. Opportunities exist to foster the creation jobs, particularly in the portions of the Project Area zoned for industrial development in the Fruit-Church area and along Elm Avenue.
- A lack of adequate basic goods and services in the area, i.e., there is limited access to groceries and basic consumer goods; limited/inadequate services such as banking, medical and personal services; and inadequate parks and recreational facilities. Despite the Agency's success in bringing a neighborhood shopping center (Kearney Palms) to the Project Area, the commercial stores and services in the Project Area are still limited.
- Overcrowded and substandard housing.
- A lack of necessary public facilities and inadequate infrastructure.

The Agency has participated in a number of projects and programs with other public agencies and the private sector to alleviate blighting conditions. Many of the projects and programs are described in more detail beginning on page 6.

A review of building permit data from 1999 through 2009 was used to assess the approximate level of reinvestment that has occurred in the Project Area since the merger in 1998. Total permit value was calculated, excluding sign permits, and permits for re-roofing projects, site remediation, and foundation-only permits. In total, permits valuing \$71.8 million were issued. Because permit value does not necessarily reflect actual construction costs or the value of the improvements constructed, no direct conclusion as to how much construction activity has taken place. Similarly, permits may be issued for a project that never gets constructed. Nevertheless, a review of the permits information also indicated that of the \$71.8 million, \$30.9 million (or forty-three percent) of the permits were for projects in which the Agency have some level of involvement. Agency involvement ranged from direct financial participation to facilitating a sale or helping the property owner find tenants - including loans, land write-downs, construction of public improvements.

In short, the Agency has been involved in over forty percent of the significant development activity that has occurred in the Project Area since the merger in 1998. The Agency has played a critical role in bringing the first (and still the only) neighborhood shopping center to the Project Area, and the development and redevelopment of many housing units, including units affordable to low and moderate income families. Much of the housing activity was supported through the

contribution by the Agency of its housing set-aside funds to the Community Housing Partnership Program ("CHPP"), a partnership of the housing authorities of the City and the County of Fresno. Yet despite these accomplishments, signs of underutilization and neglect persist and are significant in many portions of the Project Area, as will be described herein. These remaining blighting conditions indicate that private sector, acting alone, and other public agencies cannot redevelop the area without the assistance of redevelopment.

C. AGENCY GOALS AND OBJECTIVES

The primary goals and objectives of the Agency include:

- The elimination and prevention of the spread of blight and deterioration throughout the Project Area.
- The promotion of new and continuing private sector and government agency investment within the Project Area to prevent the loss of and to facilitate economic activity.
- The retention and expansion of existing businesses where possible by means of redevelopment and rehabilitation activities, and encouraging and assisting the cooperation and participation of owners, businesses, and public agencies in the revitalization of the Project Area.
- The expansion and improvement of the City's housing supply (inside and outside of the Project Area), including opportunities for low and moderate income families and households.
- The elimination or amelioration of deficiencies, such as substandard vehicle circulation systems; inadequate water, sewer, and storm drainage systems; insufficient off-street parking; and other similar public facility and utility deficiencies adversely affecting the Project Area.

While the Agency has made significant progress towards its goals, there is significant blight in portions of the Project Area. The SWGNA Redevelopment Plan will expire in 2012 and the Fruit Church Redevelopment Plan will expire in 2014. When these Redevelopment Plans expire, the Agency will no longer be able to initiate or participate in the alleviation of blight in the respective Redevelopment Plan areas. In order to accomplish its goals and objectives, the Agency will need more time to complete various projects and programs.

D. AGENCY ACCOMPLISHMENTS

Major projects that have been completed in the Project Area include:

Neighborhood Revitalization

In July 2000, the Agency entered into a multi-year Community Housing Partnership Program (CHPP) agreement with the Housing Authorities of the City and County of Fresno to administer a portion of the Agency's twenty percent Housing Set-Aside funds. The CHPP provides for minor, major and infill housing in designated target areas of the City, which include locations within neighborhoods located within and adjacent to the Merger No. 2 Project Areas. The CHPP has three significant elements: the Major/Minor Rehabilitation Program, the Board Up/Infill Program, and the Multi-Family Rehabilitation Program. During the next five years, the Agency will continue to expend Merger No. 2 Housing Funds in Merger No. 2 neighborhoods.

Since the inception of the CHPP Program, there have been 332 minor rehabs completed in the Project Area, of which ninety-four have been in the past five years. There have also been eleven major rehab projects completed in the past five years.

Board Up/Infill Program

As part of the Board Up/Infill component of the CHPP, the Agency has acquired a number of severely distressed residential properties. The Agency can facilitate development of infill housing on these parcels through establishment of a program to acquire vacant and distressed residential properties, and provision of land write-downs for development of mixed income and affordable housing. The properties recently acquired in the Project Area under the Boarded Up/Lot Purchase Program/Infill Housing Program include the following:

- Through the CHPP, the Agency acquired a boarded up property at 347 W. Strother for rehabilitation. Deemed beyond repair, the 347 W. Strother house was razed and the site prepared for the relocation of a house moved from 145 E. Geary. The home has since been sold to a qualified buyer.
- The CHPP acquired a two-bedroom one-bath boarded-up house at 1046 E. Calwa in Southwest Fresno. The house was rehabilitated and sold to a qualified buyer.
- Through the CHPP, the Agency acquired a boarded up property at 1235 E. Calwa. The home's rehabilitation was completed and the house was sold to a low income family.
- The house at 2254 S. Lotus Avenue, was acquired under the CHPP program. The home was rehabilitated to "Green" Standards and sold in May 2009.
- Affordability covenants on the units will assist the Agency in meeting its replacement housing and inclusionary housing obligations.

Kearney Palms Shopping Center

February 2000 marked the completion of construction of the \$10.23 million Kearney Palms Shopping Center Project, comprised of a major grocery market (Food 4 Less), a drug store (Rite Aid), and sixteen commercial tenants. The Project site occupies approximately twelve acres bounded by Freeway 99, Fresno, "B," and Tuolumne Streets. Included within the Project site is an Agency-owned public parking lot, providing 620 off-street parking spaces for shopping center clientele. Additionally, the Project includes an 8,000 square foot City police substation leased to the City pursuant to a Cooperation Agreement between the Agency and the City. The Agency assembled the land for the site, constructed the off-site improvements and public parking lot, and funded the development of the police sub-station. It was estimated that the Project created 350 permanent jobs.

HOPE VI

Hope VI is a multi-phased, multi-housing type master planned community generally located between West, California, Walnut and Church Avenues. The master plan envisioned approximately 267 housing units and commercial, retail and community service uses. The 3,500 square foot \$1.8 million Community Enrichment Center, which features a pre-school, community room and computer lab, opened in December 2007.

The Agency supported the \$20 million HOPE VI grant fund award through a commitment of multi-year contributions that include: Agency-owned land; assembly of additional land for a mixed-use project between California, Church, Walnut and Plumas Avenues; assistance for development of a recreation center and parking facility; and various street improvements.

California Avenue Improvements and Land Acquisition

The Agency's contribution of funds to widen California between Fruit and West fulfilled a requirement that led to the construction of fifty-three new homes in Sierra Point, thirty-three new units and thirty-six rehabilitated units in Yosemite Village, and a new Community Enrichment Center. The Agency and the City of Fresno identified California Avenue from Freeway 99 to West Avenue as a priority for funding and received Tier 1 allocation in the Measure C Bond for street widening and improvements and landscaped median islands.

California Walnut Mixed-Use/Edison Plaza Project

In FY 08/09, the Agency completed a Disposition and Development Agreement (DDA) with the Edison Plaza Partners to construct a \$12 million, 38,000 square foot Regional Resource Center and Library, along with 32,000 sq. ft. of office and commercial space and \$1.4 million in Agency funded off-sites. A lease with the County of Fresno for the Resource Services Center and Library was finalized and approved in July 2008. The Agency assembled ten acres for the Edison Plaza Mixed-Use Project and funded the required frontage improvements on California Avenue and the widening and realignment of Walnut Avenue south of California.

On March 26, 2009, over 100 community members and City and County elected officials celebrated the Regional Resource Center and library's groundbreaking ceremony. The project represents the largest development in Southwest Fresno since the Agency's Kearney Palms project in 2000.

California Avenue Revitalization Plan (CAR)

In March 2003, to encourage infill development along California Avenue, the Agency presented a "California Avenue Revitalization" (CAR) plan to the Agency Board. The plan includes fifteen significant projects along the California Corridor from S.R. 99 to West Avenue. To date, eight projects have been completed: Walnut Avenue Street Improvements, Casa San Miguel, Pocket Parks, HOPE VI Master Plan Adoption, Lincoln School Improvements, Edison Track and Edison Plaza—West Fresno Regional Center, Elm Crossing; and seven are well underway: EOC Youth Center, California Triangle, California Avenue Brownfields, California Avenue Street Widening, Edison Plaza Phase II, Walnut Avenue Realignment and Yosemite Village.

EOC Neighborhood Youth Center

The Fresno County Economic Opportunities Commission acquired approximately six-point-six acres of Agency-owned properties in the area of California and "C" Streets for development of a Youth Center. The Agency assisted with off-site improvements. When complete, the 66,000 square foot project will consist of a Recreation Building, Administrative Offices, and Vocational Training Facility with classrooms for Corp members. Currently, the Recreation Building and Administrative Offices are complete while the Vocational Training Facility and classrooms are under construction.

Clinica Sierra Vista

The Agency assembled the necessary land to assist in the development of the Southwest Fresno Sequoia Health Center Campus. In 2008, the Agency exchanged land with Sierra Clinica, enabling the expansion of the campus and construction of a dental facility on Elm Avenue north of Annadale. The Dental Facility is currently under construction.

Sequoia Village at Annadale/Elm

Following a competitive Request For Proposal (RFP) process, EAH, the selected developer, began work on a design, site planning and associated entitlements and project economics for the proposed development of about 230 residential units on seven-point-five acres at Annadale near Elm next to the Clinical Health Center (formally Sequoia Health Center). The Agency through a Disposition Development Agreement (DDA) facilitated the Community Health Center development.

Casa San Miguel

The City, National Farm Workers Service Center (NFWSC), and the Agency entered an OPA and HOME Investment Partnership Program Grant on April 25, 2001 for development of a forty-four (44) lot affordable housing project, in three (3) independent Phases: Phase I consisting of development of thirty-two (32) lots as low and very low-income single-family housing units ("Phase I"); Phase II consisting of development of three (3) lots as a community center (later

amended to allow for three additional single-family homes); and, Phase III consisting of development of nine (9) lots as affordable single-family housing units for low to moderate income families ("Phase III"). Forty-One of the Forty-Four lots have been developed and sold to income qualified families. Affordability covenants on the units will assist the Agency in meeting its replacement housing and inclusionary housing obligations.

California Triangle

The Agency, through the CHPP, is nearing completion of land assembly for a three-acre site at California Avenue between Kern Street and Waterman Avenue for an affordable housing development.

Edison High School Improvements

The Agency and the Fresno Unified School District entered into a Funding Agreement to provide athletic field improvements at Edison High School. A new all-weather track, runway, concession/ restroom facilities, new lighting, and fencing improvements were constructed. Updated irrigation was installed to facilitate the landscape improvements.

Providence Baptist Church

To facilitate the improvements and expansion of Edison High School, the Agency entered into a Disposition and Development Agreement (DDA) with the Providence Baptist Church to relocate the congregation across Walnut Avenue. The church, located on Lorena Avenue between Walnut Avenue and the Edison High School Campus, entered into this agreement to transfer title to the Fresno Unified School District in exchange for a vacant property across the street on Walnut and Geary Avenues. The parcel was then improved and a new church building was constructed on site.

Walnut/Plumas Avenue Street improvements and alignment

The development agreement for the Edison Plaza mixed-use project at the southeast corner of California and Walnut triggered frontage improvements on California and the realignment and improvement of New Walnut from California to Lorena that is now completed. Preliminary plans for Phase II of the Edison Plaza Mixed-Use Project bounded by Lorena, Walnut, Plumas and Florence include construction of an 11,000 square foot early education center at the northwest corner of the site followed by 280 three- and four-bedroom units of affordable housing. This development triggers the need for widening and improvement of New Walnut from Lorena to Florence and potentially further south to Church Avenue.

Elm Avenue Business Corridor

Elm Avenue was reconstructed to a four-lane, divided, arterial street with landscaped median islands. Full improvements now include curbs, gutters, paving, street lights and street trees along both sides of the street. Sidewalks were provided along the west side of Elm to enhance pedestrian circulation. Major storm drain lines were completed to provide adequate storm drain services to the Elm Avenue Business Corridor. Water and sewer services are currently available to properties along the Corridor. Agency coordination with PG&E facilitated the

completion of the undergrounding of utilities along Elm Avenue. The improvements to Elm Avenue have helped generate over 1 million square feet of industrial development.

Alleyways

To complement the Agency Housing Rehabilitation Program and California Avenue Revitalization, approximately twelve-point-five miles (the area bounded by Merced Street, Pottle Avenue, California Avenue and Freeway 99) of alleyways were identified as needing work ranging from simple clean up to complete re-grading and repaving. The rehabilitation of the alleyways began in 2003 and was completed in 2006.

Southwest Fresno Community Meetings

In a continuing series of twenty-two meetings in fiscal year 2009-2010, the Agency presented the Southwest Fresno community an overview of redevelopment projects and plans. For maximum outreach, meetings were held at 11 Southwest Fresno school sites.

Tulare Street Improvements

Implementation of the West Fresno Community Vision Plan moved forward with the construction of two landscaped median islands for Tulare Street between "B" and "C" Streets. The West Fresno Community Vision Plan with over 300 community participants was prepared for the Council of Fresno County Government Commission and adopted by the City Council.

1747 B Street Development

The Agency approved an OPA to provide assistance for construction of sixteen (16) single-family low and moderate income homes at 1747 "B" Street.

Under the OPA, the Agency constructed the off-site improvements described as curb, gutter, sidewalk around perimeter of the development, sixteen driveway approaches, an alley approach and paving of alley at an estimated \$75,000. In addition, the Agency provided a grant in the amount of \$75,000 to assist in development costs of the affordable housing units. "Affordable Housing Covenants" were placed on three (3) of the sixteen (16) homes, requiring that the three homes be made available at affordable housing cost to, and be occupied by, persons and families of extremely low or moderate income for a period of not less than forty-five years, which will assist the Agency in meeting its replacement housing and inclusionary housing obligations.

La Vera Williams Day Care

The Agency facilitated development of a 9,500 square foot day care center at Fresno and "A" Streets accommodating 130 children, infant through elementary age. RDA assembled the land and also provided the off-site improvements and parking.

Joe's Market

This blighted property was purchased by the Agency in the Kearney Palms Shopping Center area was demolished in 2007 making way for continued redevelopment. The property located

on 1260 "A" Street attracted loiterers to the area, generated neighborhood complaints, and was considered a blighting factor of the neighborhood.

Whites Bridge Road Planning and Development

The Agency made significant improvements to key roadways in Southwest Fresno. The project consisted of installation of curbs, gutters, sidewalks, ADA ramps, streetlights, and cold-recycling pavement on Whites Bridge Avenue, Amador, "A", "B", Stanislaus and Tuolumne Streets between Teilman Avenue and Highway 99 in Southwest Fresno GNRA and a portion of Roeding Business Park.

California and Fruit Avenues Brownfields Cleanup Grant

The cleanup of this two-acre brownfields site, containing lead contaminants on the surface, will enable housing or mixed use development as allowed by the City's General Plan and Edison Community Plan. Development proposals will be solicited after the cleanup process is completed. The Agency received a \$200,000 Environmental Protection Agency (EPA) Brownfields Grant for the physical cleanup and remediation of a portion of the property generally located at the southeast corner of California and Fruit Avenues. The Agency received the Notice of Award for the grant in February 2009, and secured the services of an environmental consultant to implement the cleanup work plan and an environmental contractor to complete the remediation work. The Agency provided \$85,000 matching funds. The cleanup work totals approximately \$285,000 and consists of installing and operating a vapor extraction system (groundwater monitoring wells, soil-vapor wells, air-spargers, catalytic oxidizer unit and granular activated carbon unit). The vapor extraction system was installed in March 2009 and the work completed in 2010. The cleanup work also includes removal of approximately 1,500 cubic yards of hazardous and non-hazardous waste materials from the site, which is expected to be completed in the spring of 2011.

Summer Hill Place

The Summer Hill Place project is located on a one-point-thirty-nine-acre parcel at 430 and 436 B Street (467-173-12T and 467-173-15T), and a one-point-fifty-two-acre parcel at 2150 S. Elm Avenue (478-074-26T) assembled by the Agency. The parcel's irregular shapes have been used to advantage by Developer, AMCAL, to create unique and attractive "villages." The project is well underway and when completed will provide forty-nine affordable units on the two sites, along with one (1) manager's unit. The project consists of twenty-eight 2BR/2BA units and twenty-one 3BR/2BA units. All of the 2BR units will be available to households of fifty percent of median income (AMI) or below, with some at rents as low as thirty percent and forty percent of AMI. All of the 3BR units will be available to families of sixty percent of AMI, with several at thirty percent and forty percent of AMI.

The total project value is approximately \$8,439,576. The Agency invested \$2 million and will receive fifty-five-year affordability covenants on the forty-nine low-income units which will assist the Agency in meeting its replacement housing and inclusionary housing obligations.

Once completed, the Summer Hill Place Apartments will help eliminate vacant, blighted parcels within the local neighborhood.

Westgate Gardens

Westgate Housing Associates, L.P., acting through its general partner, A.F. Evans, Inc., a California Corporation, rehabilitated a 100-Unit family rental property located at 848 East Belgravia Avenue (near Church Avenue and Martin Luther King Jr. Boulevard) with a thirty-year Agency loan of \$250,000, and private investment of approximately \$3,000,000. Westgate Gardens was an "expiring use" Section 8 property.

Each unit had substantial rehabilitation work done, including significant exterior improvements. A new on-site Community Center was constructed which included a computer/learning resource center for the residents' use. In total, approximately \$30,000 per unit was spent on the project improvements. Ninety-eight of the 100 units within the Westgate Gardens complex, containing a total of 205 bedrooms, are dedicated to very low to low income families. The two remaining units are available to the complex's resident manager and maintenance personnel. The Company preserved the affordability of the ninety-eight units by retaining the Section 8 contract and underwriting the project at the tax credit rents so that in the event that the Section 8 rental assistance is terminated by HUD, the project rents will remain affordable to low income tenants. Affordability covenants on the units will assist the Agency in meeting its replacement housing and inclusionary housing obligations.

Martin Luther King Square Apartments

Through an Owner Participation Agreement (OPA), the Agency provided \$500,000 of funding to assist Martin Luther King Square, LLC for acquisition and major rehabilitation of the Martin Luther King Square Apartments, a existing ninety-two-unit family rental property located at 816 East Florence Avenue in Southwest Fresno. The improvements included extensive renovations to the exteriors and interiors of each unit. Exterior improvements included replacement of all asphalt parking lots, landscape upgrades, replacement/repair of all exterior fencing and gates, construction of two laundry facilities, installation of children's play ground surrounded by picnic areas and complete renovation of the multi-purpose room to function as a computer lab, community center and management and leasing offices. The Agency provided matching funds along with the City to finance a portion of the \$8.4 million needed for the project. Affordability covenants on the units will assist the Agency in meeting its replacement housing and inclusionary housing obligations.

South Clara Estates

In 2007, the City Council and the Agency Board approved an OPA to provide for construction of eleven (11) single-family low and moderate income homes at Clara and North Avenue ("South Clara Estates") and to provide for an Agency grant of approximately \$240,000 for construction of off-site improvements and ponding basin to assist the project's feasibility.

As a condition of development, the Fresno Metropolitan Flood Control District required construction of an on-site ponding basin.

Affordable Housing Covenants will be placed on all eleven (11) homes, requiring that the homes be made available to persons and families of extremely low, very low or low income for a period of not less than forty-five years. The Affordability covenants will assist the Agency in meeting its replacement housing and inclusionary housing obligations.

Tuolumne-Merced, “A” – “B” Street Alley Improvements

This blighted alley servicing both commercial and residential properties was discouraging commercial traffic and private investment. The alley bordered by Tuolumne and Merced Streets, and “A” and “B” Streets was cleaned of various debris, overgrown grass and weeds that accumulated on the alley shoulders. Additionally, the alley shoulders were improved with concrete millings, providing for a drivable yet permeable surface to provide water percolation during rain storms. Various asphalt patching improvements were also placed to repair the street surface.

Fink White Park Development/Improvements

The Fink-White Project rehabilitated the playground with improvements including the resurfacing of basketball courts, upgrading of fencing, lighting and electrical service, installation of new walkways for the physically challenged, and the installation of a picnic pavilion with tables, benches, and barbeques. The Agency contributed \$75,000 to access a National Parks Service Urban Parks and Recreation Recovery (URARR) Program grant of \$285,073, and a State grant of \$47,174 for a total budget of \$407,247.

Triple A Burger

A ribbon-cutting ceremony on October 27, 2010, announced the completion of the Triple ‘A’ Burger Restaurant and new commercial building on Fresno Street across from the Kearney Palms Shopping Center. The owners/operators of this business had owned and operated this Southwest Fresno icon for sixteen years. The restaurant dba Triple ‘A’ Burger has been in continuous operation at this location over thirty years. The new construction replaced an aging, undersized old commercial building. The new construction not only doubled the operating space of the Triple ‘A’ Burger restaurant, but added an additional 3,500 square feet of retail space that is already fully leased, providing up to twenty-five new jobs. Through a reimbursement agreement the Agency has provided assistance in offsite improvements (curbs, gutters, and sidewalks).

III. PROJECT AREA DESCRIPTION

A. BOUNDARIES AND LAND USE

The Project Area is located southwest of Highway 99 and is generally bounded by the 180 Freeway to the north, West Street to the west, Church Street to the south, and Highway 99 to the northeast. It also includes properties along and adjacent to Elm Street between Church Street and North Avenue, and properties along and adjacent to North Avenue between Lee Avenue and Cherry Avenue (see Figure 1).

The Southwest Fresno GNRA portion of the Project Area was created by adoption of a redevelopment plan for the area in 1969. The Southwest Fresno GNRA includes 1,757 acres (gross).⁴ The Fruit Church portion of the Project Area was created by adoption of a redevelopment plan in 1971. The Fruit Church area is comprised of 143 acres (gross). Combined, the Project Area's gross acreage is 1,900 and total net acreage (excluding public rights of way) is approximately 1,446 acres.

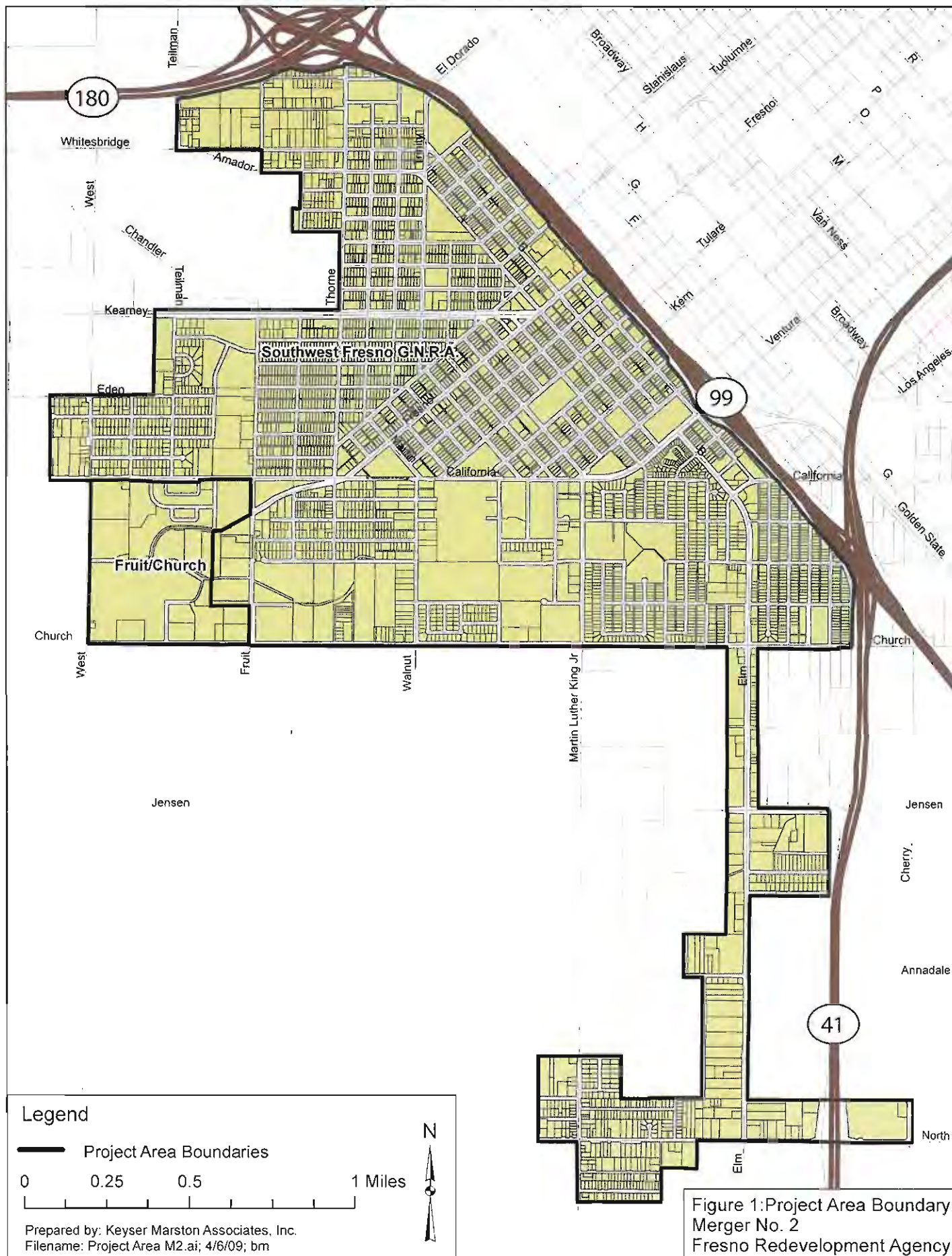
Table 3: Project Area Land Uses

Land Use	Parcels	% of Total	Acreage	% of Total
Single-Family Residential	2,965	74%	605	42%
Multi-family Residential	228	6%	147	10%
Commercial Retail	121	3%	84	6%
Commercial Office	11	0.3%	14	1%
Industrial	25	0.6%	99	7%
Public/Quasi Public	95	2%	129	9%
Open Space/Recreation	37	1%	73	5%
Vacant Property	539	13%	286	20%
TOTAL	4,025	100%	1,446	100%

Numbers may not add due to rounding. Source: City of Fresno, Fresno County Assessor

As shown in Table 3, the majority of the Project Area (as measured by acreage and number of parcels) is single-family residential properties, which account for seventy-four percent of parcels and forty-two percent of the acreage. Multi-family properties account for an additional six percent of parcels and ten percent of acreage. Thirteen percent of the parcels and twenty percent of the acreage in the Project Area is vacant land. Commercial uses (both retail and

⁴ Gross acreage includes land area devoted to public rights-of-way (i.e. streets, alleys and railroad rights of way).



office) combined account for roughly three percent of the parcels and eight percent of the acreage. Most of the commercial uses are located along B Street near the downtown and along Elm Avenue. Public/quasi-public uses account for two percent of the parcels and nine percent of total acreage. These uses include two public high schools (Edison and New Millennium Charter), multiple middle and elementary schools, parks and playgrounds, and a number of churches and other community uses. Industrial uses account for less than one percent of total parcels and seven percent of net acreage. The industrial uses are located primarily along Church Avenue in the Fruit/Church area and on Elm Avenue and North Avenue in the southern portion of the Project Area.

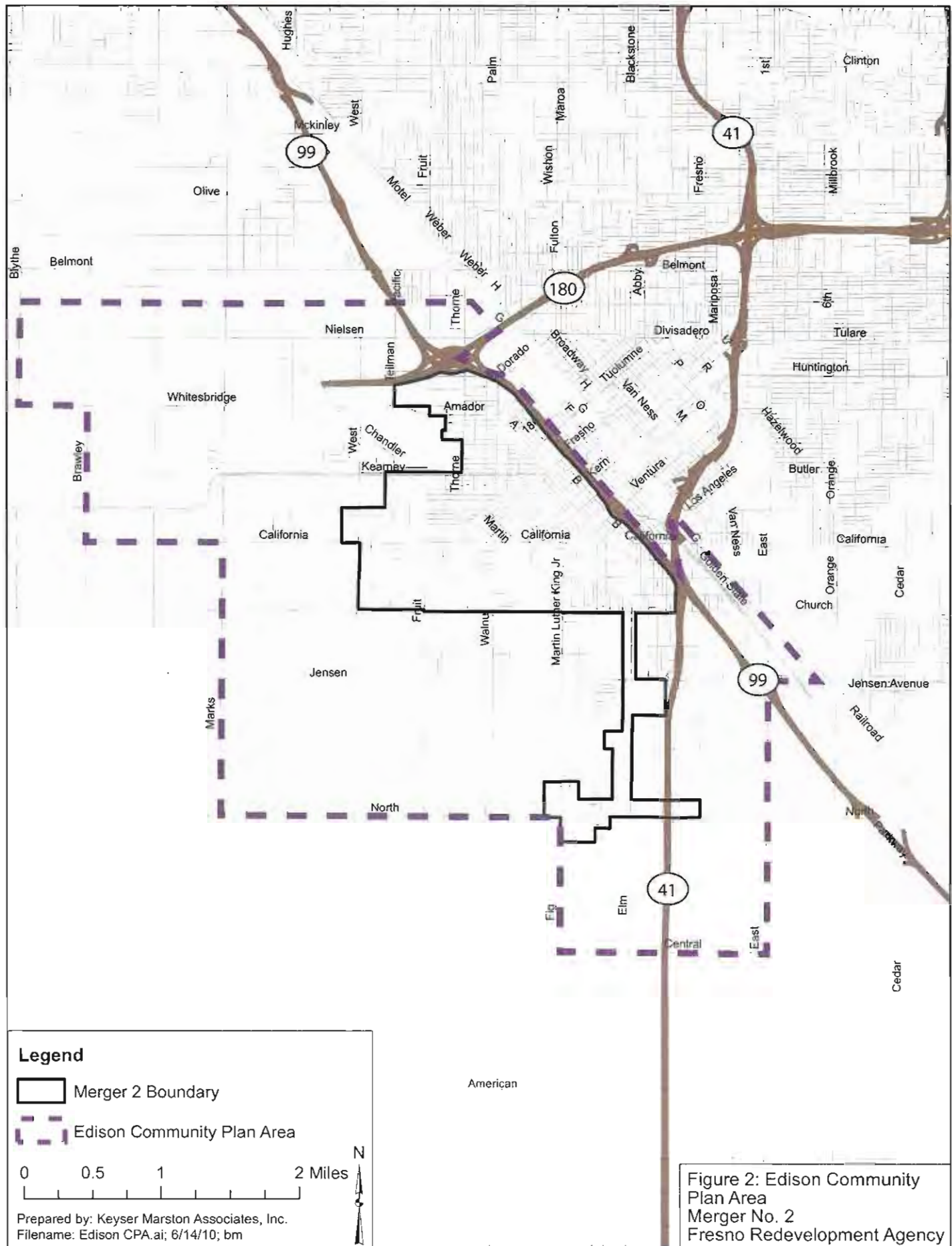
The Project Area is located within the City's *Edison Community Plan* area (see Figure 2). The Edison Community Plan was adopted in 1977 to guide development and land use in the area. The Project Area includes a mix of land uses, though the predominant land use is single-family residential. The land use designations area predominantly medium density residential, with industrial uses in the northwest portion of the Project Area adjacent to the Chandler Airport, in the southern portion of the Fruit/Church area, and along Elm and North Avenues in the southern portion of the Project Area (see Figure 3). There is also a significant amount of vacant land, located primarily in the Fruit/Church area, north of Church Street between Fruit Avenue and Martin Luther King Jr. Avenue, and along Elm Avenue.

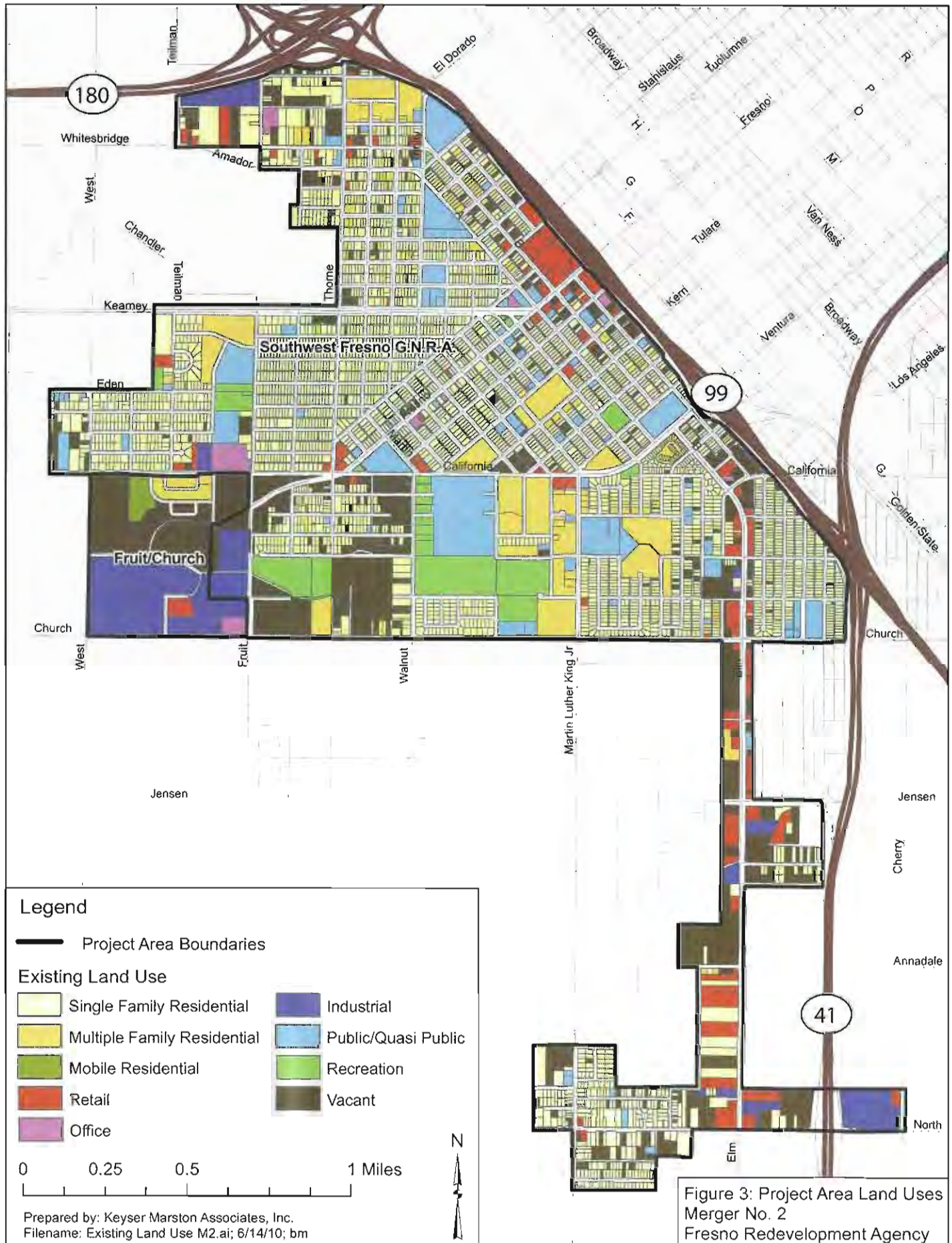
A significant portion of the Project Area (between California Street and Thorne Avenue southwest of Highway 99) was developed during the early part of the 20th century. The portion of this area southeast of Merced Street is laid out on the original diagonal City grid system parallel to the two railroad lines that run through the downtown.

Major land uses include Edison High School, Computech Middle School, and five elementary schools. The Chandler Downtown Airport is immediately adjacent to the western part of the Project Area between Whitesbridge Avenue and Kearney Boulevard.

The Project Area is in close proximity to downtown and is served by three major freeways (Highways 180, 99 and 41) and a number of arterial and collector streets. Arterial streets include Elm and Walnut Avenues running north-south. Running east-west, arterial streets include Whitesbridge, California, West and Jensen Avenues. In addition, Fresno and B Streets, which are aligned with the City's original diagonal grid, are designated as arterial streets.

(Text continues on page 19)





B. DEMOGRAPHICS AND GENERAL SOCIAL AND ECONOMIC CONDITIONS

Historically, the Project Area (and the Edison Community in general) is within one of the oldest portions of the City. The Project Area includes a core portion of the greater West Fresno (Westside) community, development of which began in the 1880s. West Fresno has been home to successive waves of immigrant and minority settlers. Ultimately, the Edison Community declined and became the most disadvantaged portion of the City. Factors contributing to the concentration of poverty and disinvestment in the area include:

- Historic patterns of redlining and restrictive covenants that were not struck down until the mid- 20th century.
- As the most affordable housing stock, the area serves as one of the gateway communities to recent immigrants.
- Incompatible mix of land uses (residential and industrial) in portions of the area.
- Disinvestment in the downtown beginning in the 1960s had a negative impact on the Project Area as well.
- The City's rapid growth since the 1970s has been suburban development to the north, with the jobs created going north with the housing.

A study prepared jointly by the Federal Reserve System and the Brookings Institution ("FRS/Brookings Study") published in 2008 included West Fresno (which includes the Project Area) as one of sixteen case studies of communities with high concentrations of poverty in the U.S. The FRS/Brookings Study was prepared as a means of helping the Federal Reserve better understand the impacts of high concentrations of poverty on the different types of communities affected. For purposes of the Study, Fresno was characterized as an "immigrant gateway" community along with the cities of Miami, El Paso and Long Beach.

Based upon research and interviews of community leaders and representatives, the FRS/Brookings Study identified three key challenges for the West Fresno Community:

- A weak investment environment for commercial development as well as for market-rate and mixed-income housing development.
- Because neighborhood youth are not being provided quality education and skill development opportunities, difficulties in overcoming generational poverty persist.
- The ability of community organizations to address the range of factors contributing to concentrated poverty is limited due to a lack of funding and organizational capacity.

Many of these conditions and their impacts are evident in the demographics of the Project Area. The estimated 2009 population in the Project Area is 16,897 in 4,355 households. With an average household size of three-point-nine persons, households appear to be twenty-six percent larger on average than the City (three-point-one persons) and twenty-five percent larger than the County (three-point-two persons). With a relatively low average age (twenty-nine-point-seven) vs. the City (thirty-two-point-seven) and the County (thirty-three-point-six), the Project Area appears to have larger households with more young people than on average City and Countywide.

Table 4: Population Characteristics

	Population					
	1990	2009 (Est.)	Percent Change	No. of Households	Average Household Size	Average Age
Merger 2 Project Area	14,359	16,897	18%	4,355	3.9	29.7
City of Fresno	356,035	477,831	34%	153,747	3.1	32.7
Fresno County	667,588	926,508	39%	287,291	3.2	33.6

Source: Claritas

Income and education levels are relatively low in the Project Area, with a median household income (\$21,373) that is fifty percent lower than the City median (\$43,113) and fifty-four percent lower than the County median (\$46,847). Almost half of families in the Project Area live below poverty level and the estimated 2009 unemployment rate is significantly above the unemployment rates for both the City and the County overall. Sixty-three percent of persons over twenty-five years of age have less than a high school education. The unemployment rate is much higher, at approximately twenty-two percent vs. fifteen-point-nine percent for the City and sixteen-point-nine for Fresno County.

Table 5: Income and Educational Attainment

	Median Household Income	Per Capita Income	Percent of Families w/ Income Below Poverty Level	Unemployment Rate*	Pop. 25+ With Less Than High School Diploma or Equivalent
Merger 2 Project Area	\$21,373	\$7,932	49%	22.3%	63%
City of Fresno	\$43,113	\$19,223	20%	15.9%	30%
Fresno County	\$46,847	\$20,217	17%	16.9%	32%

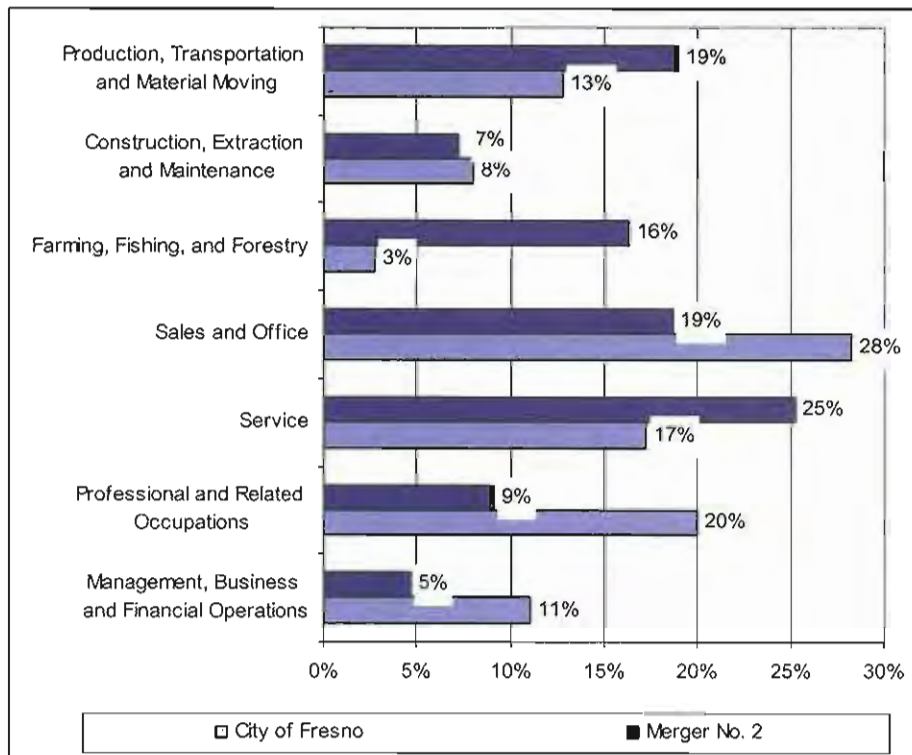
*Unemployment rate for Southwest Fresno.

Source: Unemployment rates for Fresno City and County from State of California Employment Development Department. Unemployment rate for the Project Area from the Federal Reserve Bank of San Francisco. All other data from Claritas

These low income and education levels, and high levels of unemployment make it difficult for residents to purchase and maintain homes, start businesses, redevelopment blighted properties or otherwise invest in their community.

The majority of residents in the Project Area are employed in the Service sector (twenty-five percent), the Production, Transportation and Material Moving sector (nineteen percent) and the Sales and Office sector (nineteen percent). A significant percentage (sixteen percent) of employed residents work in the Farming, Fishing and Forestry sector most likely in farming and food processing relative jobs which typically pay relatively low wages.

Chart 1: Employment by Sector



Source: Claritas

The percentage of housing units that are renter-occupied is significantly higher in the Project Area (sixty-five percent vs. forty-eight percent for the City and forty-two percent for the County). As a corollary, only thirty-five percent of housing units are owner-occupied vs. fifty-two percent Citywide and fifty-eight percent Countywide. In addition, the median value of the owner-occupied housing units (\$122,847) is low when compared to the City median, which is \$214,479 or forty-three percent higher, and the County median, which is \$232,988 or forty-seven percent higher.

Table 6: Housing Unit Tenure and Estimated Median Value

	Total Occupied Housing Units	Renter- Occupied Units	Owner- Occupied Units	Percent Renter- Occupied Units	Percent Owner- Occupied Units	Owner- Occupied Median Value
Merger 2 Project Area	4,335	2,805	1,530	65%	35%	\$122,847
City of Fresno	153,747	73,646	80,101	48%	52%	\$214,479
Fresno County	287,291	120,646	166,645	42%	58%	\$232,988

Source: Claritas

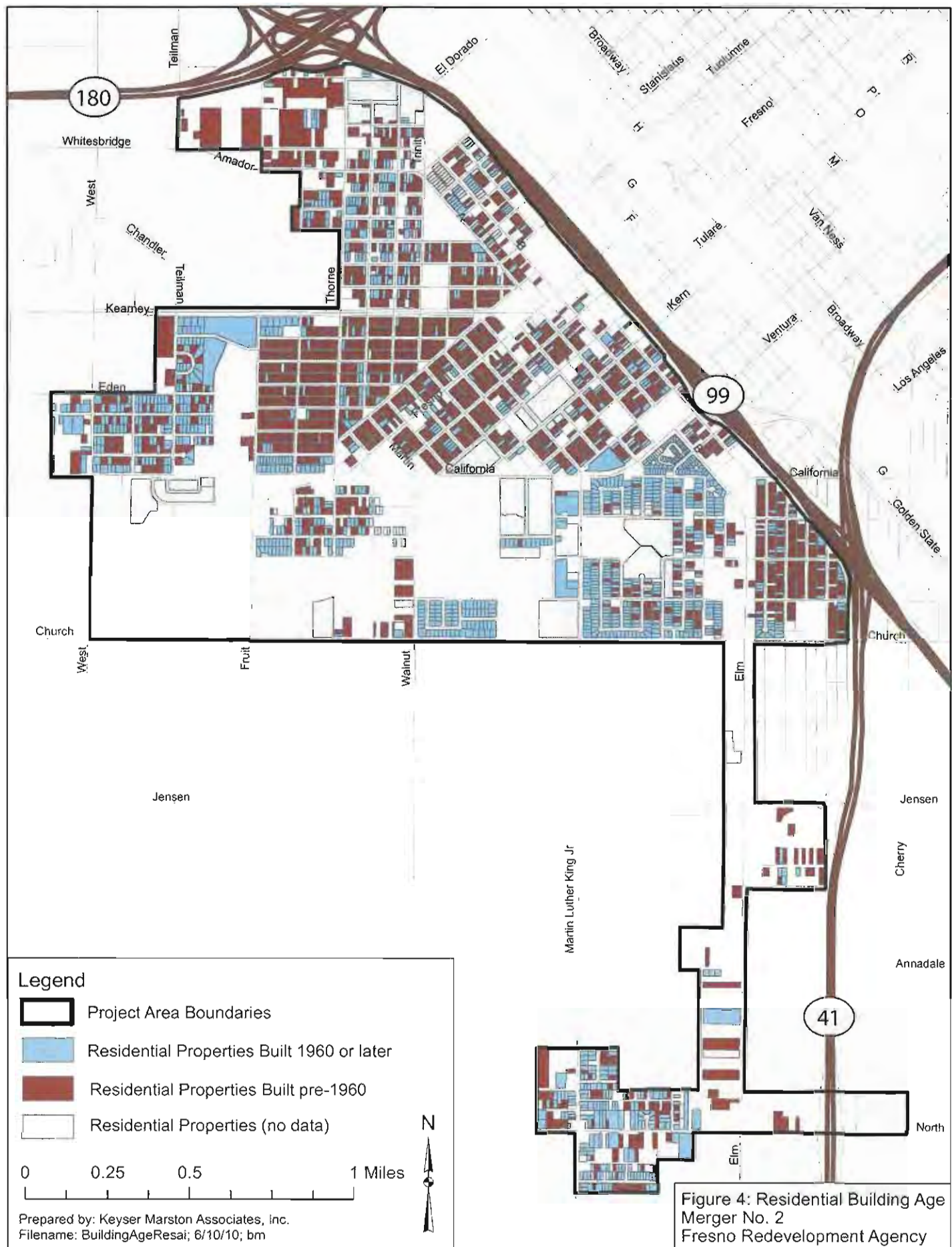
C. AGE AND GENERAL CONDITION OF THE BUILDING STOCK

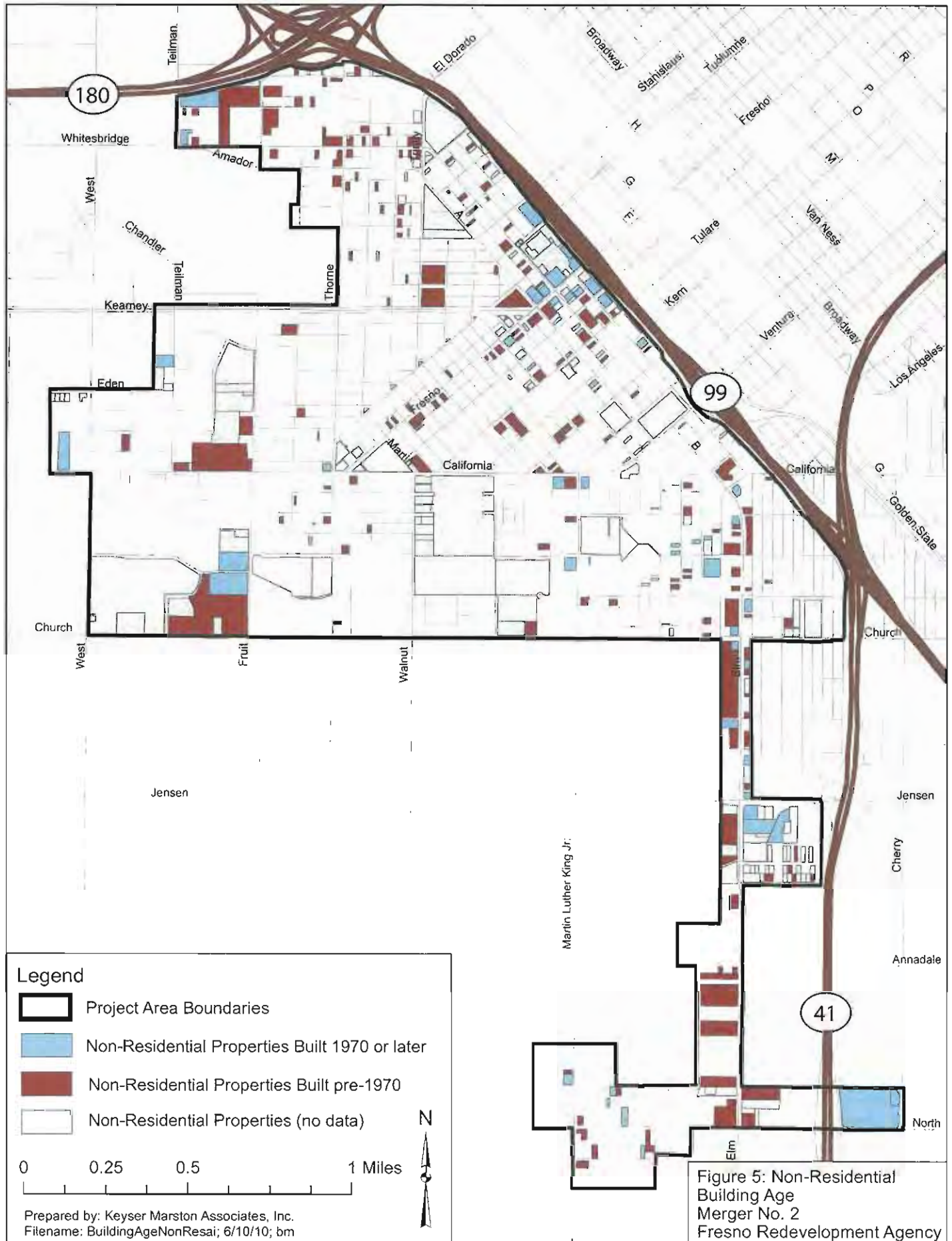
As part of one of the oldest areas of Fresno, the Project Area has a significant portion of the older building stock outside of the downtown. The residential building stock in particular is older, and as described elsewhere in this report, shows signs of deterioration, lack of maintenance and general neglect.

As buildings age over time, they ultimately become obsolete without on-going or major reinvestment to upgrade or replace obsolete systems and components. In addition, changes in market conditions can cause building sizes and configurations to become obsolete. Typically, residential buildings (single-family homes and apartments) have a useful service life of fifty to fifty-five years, and industrial and commercial buildings forty-to fifty years.⁵ Using year of construction data from Metroscan, the number of residential buildings constructed before 1960 (more than fifty years old) and the number of non-residential buildings constructed before 1940 (more than forty years old) were estimated. Data was available for ninety-six percent of the residential buildings and seventy-two percent of the non-residential buildings. Approximately two thirds of the residential buildings were built before 1960 and are thus more than fifty years old (Figure 4). Seventy nine percent of the non-residential buildings were built before 1970 and are thus more than forty years old (Figure 5). Given the poor condition of many of the buildings in the Project Area (as describe in Section IV.C of this Report, it is apparent that the level of reinvestment to rehabilitate and upgrade properties in the Project Area has not been sufficient to alleviate blighting conditions.

(Text continues on page 25)

⁵ Source: Marshall & Swift appraisers handbook.





D. NUISANCES AND EVIDENCE OF UNDERUTILIZATION, DISINVESTMENT AND DISUSE

1. Vacant and Underutilized Land

The Project Area has a high number and percentage of vacant and underutilized parcels. In 1998, the Project Area had an excessive number of vacant lots, with approximately sixteen percent of the number of properties vacant. These properties represented twenty-three percent of the total privately-owned acreage. The vast majority of the parcels identified as vacant in 1998 remained vacant as of 2008 when the field survey was completed. A total of 539 parcels equating to thirteen percent of all the parcels surveyed and twenty percent of the total net acreage were vacant.

Other indicators of vacancy and underutilization were noted during the field survey, include boarded up doors and windows, vacant buildings, and vacant properties listed for sale were noted. Combined, all of these conditions affect seventeen percent of the parcels in the Project Area. These conditions are shown on Figure 6.

Table 7: Vacant and Underutilized Parcels

	No. of Parcels	Percent of Total Parcels
Vacant Lots	472	12%
Vacant Buildings	83	2%
Boarded Windows	85	2%
Boarded Entry	37	0.9%
Property for Sale	77	2%
Total Instances	754	--
Combined Total of Parcels Affected	663	17%

Percentages may not add due to rounding.

Source: 2008; 3DV Field Survey

2. Nuisances and Neglect

In addition to a high level of vacant and underutilized land, the Project Area exhibits a number of other conditions that are indicators of disinvestment and neglect. These conditions make the Project Area appear to be "blighted" to potential investors and the community at large. The conditions noted include litter and debris, dumping, graffiti, abandoned cars, homeless encampments, and exposed dirt (unpaved outdoor parking areas, dead lawns, etc.). Combined, these conditions were noted on thirty-two percent of the parcels in the Project Area (see Figure 7). The high percentage of properties affected by these conditions negatively affects the perceptions of the community and contributes to an appearance of blight in the Project Area.

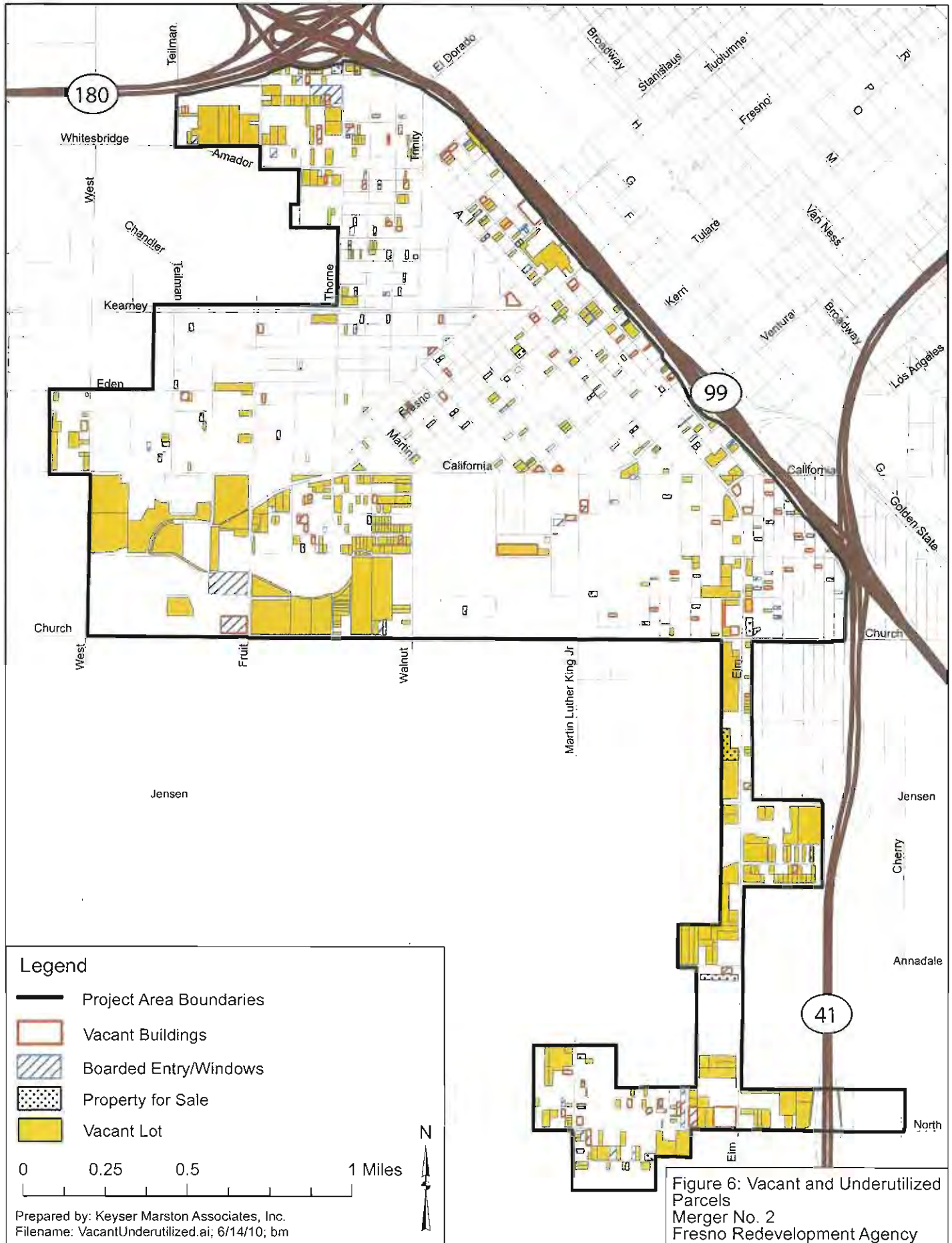


Table 8: Indicators of Nuisances and Neglect

	No. of Parcels	Percent of Total Parcels
Litter	780	20%
Debris	217	6%
Dumping	133	3%
Graffiti	45	1%
Weeds	47	1%
Exposed Dirt	623	16%
Abandoned Cars	26	0.7%
Homeless	5	0.1%
Total Instances	1,876	--
Combined Total of Parcels Affected	1249	32%

Percentages may not add due to rounding.

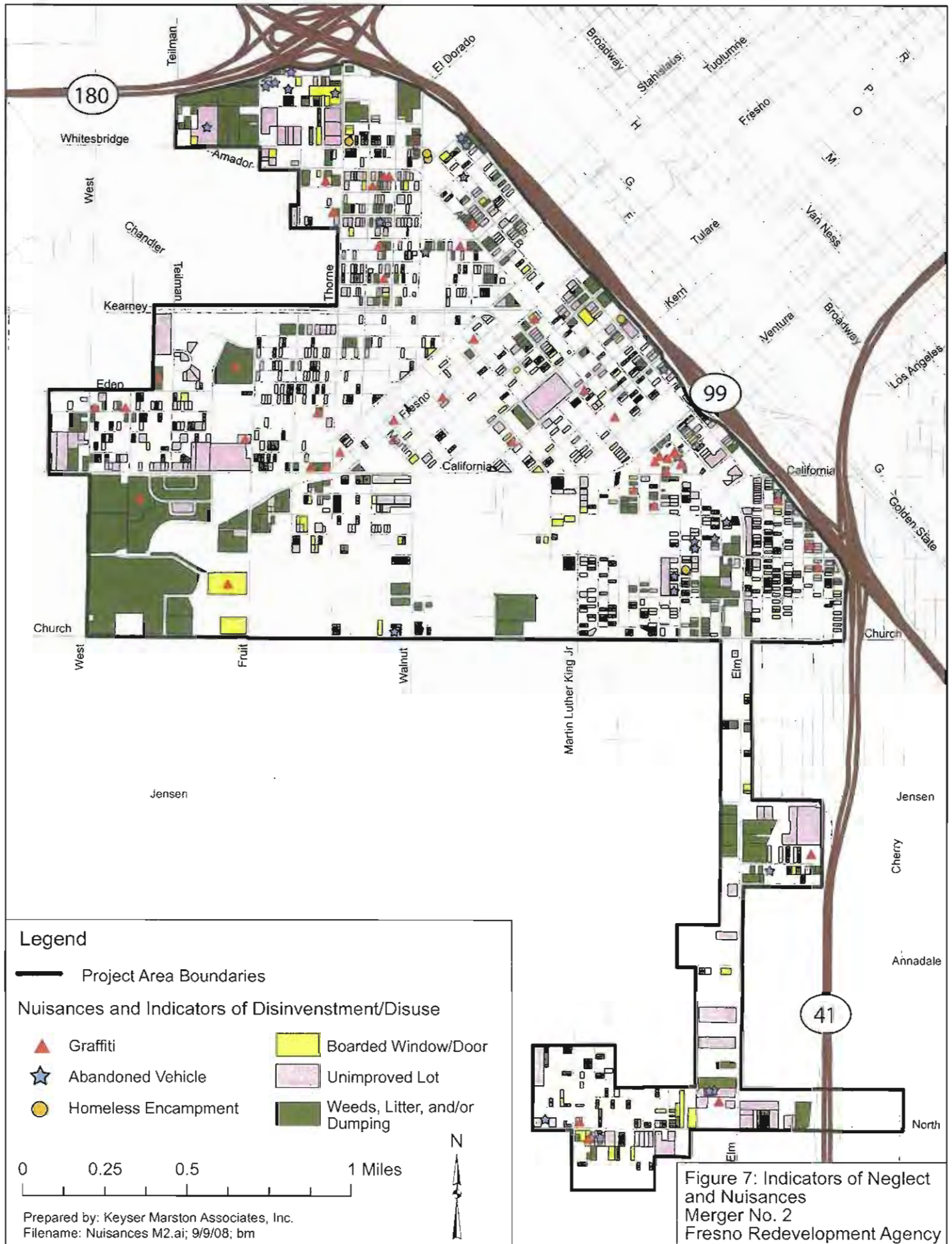
Source: 2008 3DV Field Survey

E. BLIGHTING CONDITIONS AT THE TIME OF ADOPTION

At the time that the Southwest Fresno GNRA ("SWFGNRA") was adopted (1969), the blighting conditions included many dilapidated structures, adjacent incompatible uses (typically heavy commercial and industrial adjacent to residential), depreciated property values, and a lack of necessary commercial facilities. Specifically, as described in the ordinance adopting the Redevelopment Plan, the Project Area was found to suffer from the following conditions:

- Overcrowding and improper location of structures on the land;
- Conversions to incompatible types of uses, such as rooming houses among family dwellings;
- Obsolete building types, such as large residences or other buildings which through lack of use and maintenance have a blighting influence;
- Detrimental land uses and conditions, such as incompatible use, structures in mixed-use, and adverse influences from noise, smoke, and fumes;
- Unsafe, congested, poorly designed and otherwise deficient streets; and
- Inadequate public utilities and community facilities contributing to unsatisfactory living conditions and economic decline and an excessive number of substandard structures.

At the time of adoption of the Fruit/Church Project Area (1971), with the exception of a large public housing project and an old neighborhood commercial structure, the seventeen parcels that then comprised the project area were largely underutilized except for a few establishments



engaged in intensive industrial uses. At that time, Fruit Church included five publicly-owned parcels that supported open space, a City sewage pre-treatment plant, a ponding basin and other utilities.

Fruit/Church was plagued by incompatible land uses; excessive vacant or underutilized land; a lack of public facilities/infrastructure; the presence of wrecking yards, settling ponds and a dump; environmental issues including odor problems from industrial uses and a wastewater treatment plant; and many land use/zoning conflicts.

By 1998, though some of these blighting conditions had been abated, blighting conditions such as underutilized land, incompatible adjacent uses, and environmental nuisances persisted in both areas. In order to address these blighting conditions in a more comprehensive manner and to provide greater flexibility and financial capacity, the Agency merged Southwest Fresno GNRA and Fruit Church in 1998.

F. BLIGHTING CONDITIONS AT THE TIME OF THE MERGER (1998)

One component of the blight analysis was a sample field survey conducted by licensed building inspectors. Survey looked at structural conditions and instances of code violations for every other parcel, representing a fifty percent sample. Buildings were rated good, fair, deteriorated or dilapidated. Buildings that were rated in one of the latter three categories were considered to be below acceptable quality standards - ranging from those structures requiring minor repairs and routine maintenance (fair) to those that would be candidates for demolition (dilapidated).

There were also a large number of vacant lots in the Project Area: sixteen percent of parcels in the SWGNRA and fifty-three percent in the Fruit/Church Project Area. Many of the vacant lots in the Project Area had become depositories of abandoned equipment and furniture, and also had litter and graffiti.

Table 9: Conditions at Time of Project Area Merger

Condition Rating/Use	Fruit/Church	SWFGNRA
Contained Buildings Rated Good	25%	8%
Contained Buildings Rated Below Acceptable Quality Standards	40%	75%
Vacant Lots	30%	17%
Other Parcel Use	5%	0.5%

The quality of the building stock within the Merged Project Area was found to have suffered significantly from neglect and the lack of investment from private property owners. Whereas building deterioration was found to be significant and pervasive at the time that both Redevelopment Plans were adopted, the unabated condition had worsened over time. For example, sixty-eight percent of the housing stock in the SWFGNRA during the 1998 survey was

found to be below acceptable quality standards, with forty-seven percent being so severely deficient as to be considered candidates for demolition. In addition, for becoming dumping grounds, the prevalence of underutilized and/or vacant land was found to be reflective of a stagnant economic climate and visually reinforce the sense of neglect and abandonment in the area. Over seventy percent of parcels in the combined Project Areas were found to either contain buildings below acceptable quality standards or were underutilized or vacant lots.

According to the 1998 Report, building age is a factor that can inhibit the economically viable use or capacity of those structures, especially if a large percentage of the building stock is deteriorated. Approximately seventy-five percent of the existing buildings were at least forty years old. A sharp decrease in new construction over the prior twenty years in the area was further indication of a lack of private investment. A high percent of the older commercial and industrial structures were found to be either functionally obsolete.

Incompatible adjacent uses were also found to be a blighting factor, especially in the Fruit/Church Project Area, where industrial uses were adjoining residential neighborhoods. Along with a ponding basin and wastewater treatment facility, the businesses in the area were predominantly heavy industrial and meat processing/rendering plants, with single-family homes and a public housing complex located facing these facilities. The residential uses were separated from the heavy industrial uses mainly by tracts of underutilized land littered with trash, lumber or rusted equipment. The visibility and constant awareness of these conditions seriously detracted from the attractiveness of nearby housing and the large number of vacant lots surrounding the area also reflected the negative influence industrial uses had on the housing market.

An analysis of the change in assessed property values for the five-year period prior to the merger (1991/92 through 1996/97) revealed that while total assessed value Citywide increased by over twenty-six percent, in the SWFGNRA it increased by only nine percent and declined overall by almost two percent in the Fruit Church Project Area.

Residential overcrowding was also found to be significant in the Project Areas, with twenty-six percent of the housing units being overcrowded (more than one-point-zero persons per room) vs. only thirteen percent of housing units being overcrowded in the City overall. The average number of persons per household in the census tracts incorporating the Project Areas was three-point-thirty-one vs. an average of two-point-eighty-eight per household for the City as a whole. The Project Areas were also affected by a very high crime rate that was thirty-four percent higher in the Project Areas census tracts compared to the crime rate Citywide.

At the time of the merger, the 1990 census data indicated that there was a population base of 21,206 persons in 6,406 households. Despite this population base, there were no major commercial facilities in the Project Areas, with the nearest commercial areas to the north or northeast of the 99 Freeway. Residents had to travel outside of their community to fill their basic shopping needs. The area also lacked professional services and banking institutions.

IV. SIGNIFICANT REMAINING BLIGHT

A. AMENDMENT PROCEDURES AND REQUIREMENTS

Section 33457.1 of the CRL provides that "[t]o the extent warranted by a proposed amendment to a redevelopment plan, (1) the ordinance adopting an amendment to the redevelopment plan shall contain the findings required by Section 33367..." Therefore, because the Agency is not adding territory or adopting a new project area, the Agency will follow applicable provisions, to the extent warranted, of CRL Sections 33320.1, *et seq.* and 33450, *et seq.*, pursuant to Section 33457.1. Specifically, the Agency will not have to adopt a survey area or amend the Preliminary Plan or declare a base year, which are required actions for the adoption of a new project area or the addition of territory.

1. Requirements to Extend Plan Duration, Amend Tax Increment Limit, or Extend the Time Limits to Establish Indebtedness Contained in CRL Section 33354.6

Per Section 33354.6 of the CRL, when a redevelopment agency proposes to amend a redevelopment plan that utilizes tax increment financing to increase either the limitation on the number of dollars to be allocated to the agency (the tax increment limit) or the time limit on the establishing of loans, advances, and indebtedness, or lengthen the period during which the redevelopment plan is effective, the agency must follow the same procedure, and the legislative body is subject to the same restrictions as provided for Article 4 of the CRL for the adoption of a redevelopment plan.

In addition, per Section 33354.6(b), if the agency proposes to increase the tax increment limit, the agency must describe and identify, in the report to the legislative body, the remaining blight within the project area; identify the portion, if any, that is no longer blighted; the projects that are required to be completed to eradicate the remaining blight and the relationship between the costs of those projects and the amount of increase in the number of dollars to allocated to the agency.

Therefore, because the Agency desires to increase the tax increment limits, extend plan duration, and extend the time limits for the establishment of debt for the Constituent Plans as described in Section II, the information required by Section 33354.6(b) is contained herein.

2. Requirements to Extend Plan Duration, and Time Limit for the Receipt of Tax Increment and the Repayment of Bonded Indebtedness Contained in CRL Section 33333.11.

Per CRL Section 33333.10, for redevelopment plans adopted on or before December 31, 1993, a redevelopment agency may amend a redevelopment plan to extend the time limit on the effectiveness of the plan and amend the time limit on the payment of indebtedness and

receipt of property taxes for up to ten additional years, but only after the agency finds, based on substantial evidence, the both of the following conditions exist:

- (1) Significant blight remains in the project area.
- (2) This blight cannot be eliminated without extending the effectiveness of the plan and the receipt of property taxes.

Per Section 33333.10(d), significant blight can exist in a project area even though blight is not prevalent in the project area. The report to the legislative body is required to identify on a map the portion of the project area in which significant blight remains.

A description of the remaining blighting conditions, along with the required map described above is included herein. The reasons why the blighting conditions cannot be alleviated without extending the effectiveness of the plan and the time limit for the receipt of tax increment and payment of indebtedness are described in Section VI of this Report.

3. Requirements to Extend the Agency's Authority to Utilize Eminent Domain Contained in CRL Section 33333.2(a)(4).

As required by CRL Section 33333.4(a)(4), every redevelopment plan that provides eminent domain authority must include a time limit not to exceed 12 years. As provided by law, this limit may be extended by 12 years by amendment of the Constituent Plans after the Agency finds, based on substantial evidence, both of the following:

- That significant blight remains within the Project Area; and
- That this blight cannot be eliminated without the use of eminent domain.

The descriptions of the significant remaining blighting conditions are contained in this Section of the Report.

B. DEFINITIONS OF REMAINING BLIGHT

Effective January 1, 2007, the definitions of blight contained in Section 33031 of the CRL were changed and are now different from those in effect at the time of the merger of the Project Areas in 1998. Both the old and new definitions are summarized in Table 10 on the following page.

Table 10: Definitions of Blight

1994-2006 Blight Definitions		Current Blight Definitions (as of 1/1/07)	
CRL 33031(a) - Physical Blighting Characteristics			
(1)	Buildings in which it is unsafe or unhealthy for persons to live or work. These conditions can be caused by serious building code violations, dilapidation and deterioration, defective design or physical construction, faulty or inadequate utilities, or similar factors.	(1)	Buildings in which it is unsafe or unhealthy for persons to live or work. These conditions may be caused by <u>serious</u> building code violations, <u>serious</u> dilapidation and deterioration <u>caused by long-term neglect, construction that is vulnerable to serious damage from seismic or geologic hazards, and faulty or inadequate water or sewer utilities.</u>
(2)	Factors that prevent or substantially hinder the economically viable use or capacity of buildings or lots. This condition can be caused by substandard design, inadequate building size given present standards and market conditions, lack of parking, or other similar factors.	(2)	<u>Conditions</u> that prevent or substantially hinder the viable use or capacity of buildings or lots. These conditions may be caused by buildings of substandard, <u>defective or obsolete</u> design or construction given <u>the present general plan, zoning, or other development standards.</u>
(3)	Adjacent or nearby uses that are incompatible with each other and which prevent the economic development of those parcels or other portions of the project area.	(3)	Adjacent or nearby incompatible land uses that prevent the development of those parcels or other portions of the project area.
(4)	The existence of subdivided lots of irregular form and shape and inadequate size for proper usefulness and development that are in multiple ownership.	(4)	The existence of subdivided lots that are in multiple ownership <u>and whose physical development has been impaired by their irregular shapes and inadequate sizes, given present general plan and zoning standards and present market conditions.</u>
CRL 33031(b) - Economic Blighting Characteristics			
(1)	Depreciated or stagnant property values or impaired investments, including but not necessarily limited to, those properties containing hazardous wastes that require the use of agency authority as specified in Article 12.5 (commencing with Section 33459).	(1)	Depreciated or stagnant property values.
		(2)	Impaired <u>property values, due in significant part, to</u> hazardous wastes on property where the agency may be eligible to use its authority as specified in Article 12.5 (commencing with Section 33459).
(2)	Abnormally high business vacancies, abnormally low lease rates, high turnover rates, abandoned buildings, or excessive vacant lots within an area developed for urban use and served by utilities.	(3)	Abnormally high business vacancies, abnormally low lease rates, or an abnormally high number of abandoned buildings.
(3)	A lack of necessary commercial facilities that are normally found in neighborhoods, including grocery stores, drug stores, and banks and other lending institutions.	(4)	A <u>serious</u> lack of necessary commercial facilities that are normally found in neighborhoods, including grocery stores, drug stores, and banks and other lending institutions.
(4)	Residential overcrowding or an excess of bars, liquor stores, or businesses that cater exclusively to adults that has led to problems of public safety and welfare.	(5)	<u>Serious residential overcrowding that has resulted in significant public health or safety problems. As used in this paragraph, "overcrowding" means exceeding the standard referenced in Article 5 (commencing with Section 32) of Chapter 1 of Title 25 of the California Code of Regulations.</u>
		(6)	An excess of bars, liquor stores, or adult-oriented businesses that has resulted in significant public health, safety or welfare problems.
(5)	A high crime rate that constitutes a serious threat to the public safety and welfare.	(7)	A high crime rate that constitutes a serious threat to the public safety and welfare.

Common practice is to demonstrate significant remaining blight based upon both definitions of blight currently effective and those that were in effect at the time of adoption of a redevelopment plan. Therefore, in addition to the current blight standards, this Report addresses those

blighting conditions that were identified in the 1998 Report that still remain applicable to the Project Area.

To assess the remaining blighting conditions in the Project Area, a survey of the Project Area was completed in February 2008. Data regarding building and parcel conditions were collected on a parcel-by-parcel basis, based upon visual observations from the public rights-of-way. Information collected included general condition of buildings, and observations regarding vacant lots, vacant and/or abandoned buildings, unreinforced masonry buildings, and nuisances that affect the health and safety and quality of life for residents such as dumping, litter, debris, and graffiti. These data were collected by trained field surveyors, all of whom have training and/or education in architecture, construction management or planning. A more detailed summary of the survey methodology is included as Appendix 2. Of the 4,025 parcels in the Project Area, a total of 3,935 parcels (ninety-eight percent) were surveyed. Of the remaining ninety or two percent that were not surveyed, the majority of these parcels could not be observed from the public right of way (i.e. usually hidden by fencing or other obstructions). In the case of approximately fifteen parcels in the southeastern portion of the Project Area, the parcels were not surveyed because despite repeated attempts to access the street long enough to safely survey, the survey teams were unable to do so and the Fresno Police officers in the area recommended that the field survey team discontinue their efforts for safety reason as the neighborhood is part of the territory of a specific local gang that discouraged the presence of strangers in their "turf."

In addition to field survey data, secondary sources were used to identify both physical and economic blighting conditions, including Fresno County Assessor data (obtained through Metroscan), real estate databases (CoStar and Loopnet.com) and real estate market reports prepared by real estate brokerage firms. The City of Fresno provided building permit data, crime data, code violation data, and other basic property and land use information.

C. SIGNIFICANT REMAINING PHYSICAL BLIGHTING CONDITIONS

1. Buildings in Which it is Unsafe or Unhealthy for Persons to Live or Work

a) Serious Deterioration and Dilapidation

In the field survey, each building was given one of four possible ratings: "good," "deferred maintenance," "deteriorated," or "dilapidated." Buildings given a good rating were those that were in good condition, with no evidence of structural defects and that were well maintained. Ratings of deferred maintenance were given to buildings that would require minor repairs. Buildings in need of paint or that had minor deterioration around doors and windows, or other repairs that would normally be required over the useful life of a building would fall into this category. Buildings rated as deteriorated were those requiring major repair or replacement of major building components. These would include buildings with deteriorated or sagging roofs or walls, cracks in the building

foundation or structure, or other major repairs. As described in more detail below these conditions can be: 1) evidence of possible structural failures; 2) locations where intrusion by the elements (especially rainwater) could deteriorate the building even faster; 3) locations that allow or support the intrusion of vermin; or 4) locations where unsafe/unhealthy conditions such as mold or wood rot would occur. Dilapidated structures were those which had multiple major building components in need of repair or replacement to such an extent that the building could not be rendered safe without major rehabilitation or investment.

Results of the field survey indicate that fourteen percent of the buildings were deteriorated and five percent of the buildings were dilapidated. Overall, nineteen percent of the buildings were deteriorated or dilapidated. These deteriorated or dilapidated buildings contribute to blighting conditions in the Project Area by causing unsafe and unhealthy living conditions or conditions in which people work. The deterioration and dilapidation of the buildings can result in the following effects:

- Cause weakening of structure as a lack of maintenance or exposure and weathering of surfaces normally protected from the elements deteriorate, corrode or decay.⁶ This is commonly observed in the form of sagging roofs or cracked or buckling walls and foundations on buildings. Failure of the building components could result in structural collapse and injury to occupants.
- Expose occupants to hazardous materials such as lead or asbestos, due to weathering and wear of exposed materials, i.e., asbestos siding or chipping paint containing lead. These materials may end up in the soil around the building. Lead is toxic to humans and is especially damaging to young children.⁷ Structures built before these materials were banned (1977 for asbestos and 1978 for lead) may have these materials. As this material weathers over time, it can release asbestos fibers into the air and soil.⁸ In addition, it can release fibers if it is damaged or mishandled.
- Allow the entry of vermin (including rodents and other small animals) and insects through cracks and holes in roofs, walls, and foundations, and through broken windows or damaged doors or other openings. These vermin and animals are known to either carry diseases deadly to humans or serve as hosts to disease-carrying insects. For example, rodents carry fleas and ticks that carry bubonic plague and other diseases. Rodents may also contaminate stored food and gnaw on wiring (creating a fire hazard).⁹ Roach droppings and dander are also

⁶ Forrest Wilson, Building Materials Evaluation Handbook (New York: Van Nostrand Reinhold Company, 1984), p. 40 and p. 63.

⁷ Centers for Disease Control and Prevention and U.S. Department of Housing and Urban Development. Healthy Housing Reference Manual. Atlanta: US Department of Health and Human Services, 2006, p. 5-15 and 5-16.

⁸ Healthy Housing Reference Manual, p. 5-14.

⁹ Lawrence M. Sullivan, "Roof Rat Control around Homes and Other Structures," University of Arizona Cooperative Extension. March 2002. <http://www.ag.arizona.edu/pubs/insects/az1280.pdf>, p. 1.

known as asthma triggers. It has also been noted that the sight of cockroaches can cause considerable psychological and emotional distress in some individuals.¹⁰ Health care professionals and social services providers in Fresno report that parents often have to take their children to emergency rooms as cockroaches have crawled into their ears and have to be removed.¹¹

- Cause mold or mildew to grow in building components due to moisture penetration, which triggers allergic reactions and disease in building occupants.¹²

The locations of the deteriorated and dilapidated buildings are shown on Figure 8. Example photographs of deteriorated and dilapidated buildings are included in the Appendices.

Table 11: Overall Building Condition

	No. of Buildings	Percent of Total Buildings
Good	1,124	32%
Deferred Maintenance	1,658	50%
Deteriorated	472	14%
Dilapidated	186	5%
NAV	19	1%
Total Buildings	3,459	100%

Percentages may not add due to rounding.
Source: 2008 3DV Field Survey

b) Serious Code Complaints

Another indicator of unsafe and unhealthy conditions in the Project Area is the numerous code violation complaints that occur on an on-going basis. Code complaint data obtained from the City for the five-year period of 2003 through April 2008 was reviewed to identify those complaints involving serious conditions that would affect the health and safety of building occupants. Complaints that are typically minor in nature or that can be readily corrected, such as parking on lawns, tall/grass and weeds, over height fences and sign violations were not included among the serious complaints.

Serious code complaints fell into five broad categories: *Unsafe Buildings, Other Serious Code Violations, Illegal Occupancy, Inadequate Utilities, and Animals and Vermin*. Within each of these five categories, there are a number of different types of code complaints as summarized in Table 12 on page 38.

¹⁰ Healthy Housing Reference Manual, 2006, p. 4-3.

¹¹ Nax, Sanford. "Poverty in Fresno carries hidden costs." Fresno Bee. 21 September 2009.

¹² "Molds in the Environment." Centers for Disease Control and Prevention. <<http://www.cdc.gov/mold/fags.htm>> 25 June 2010.

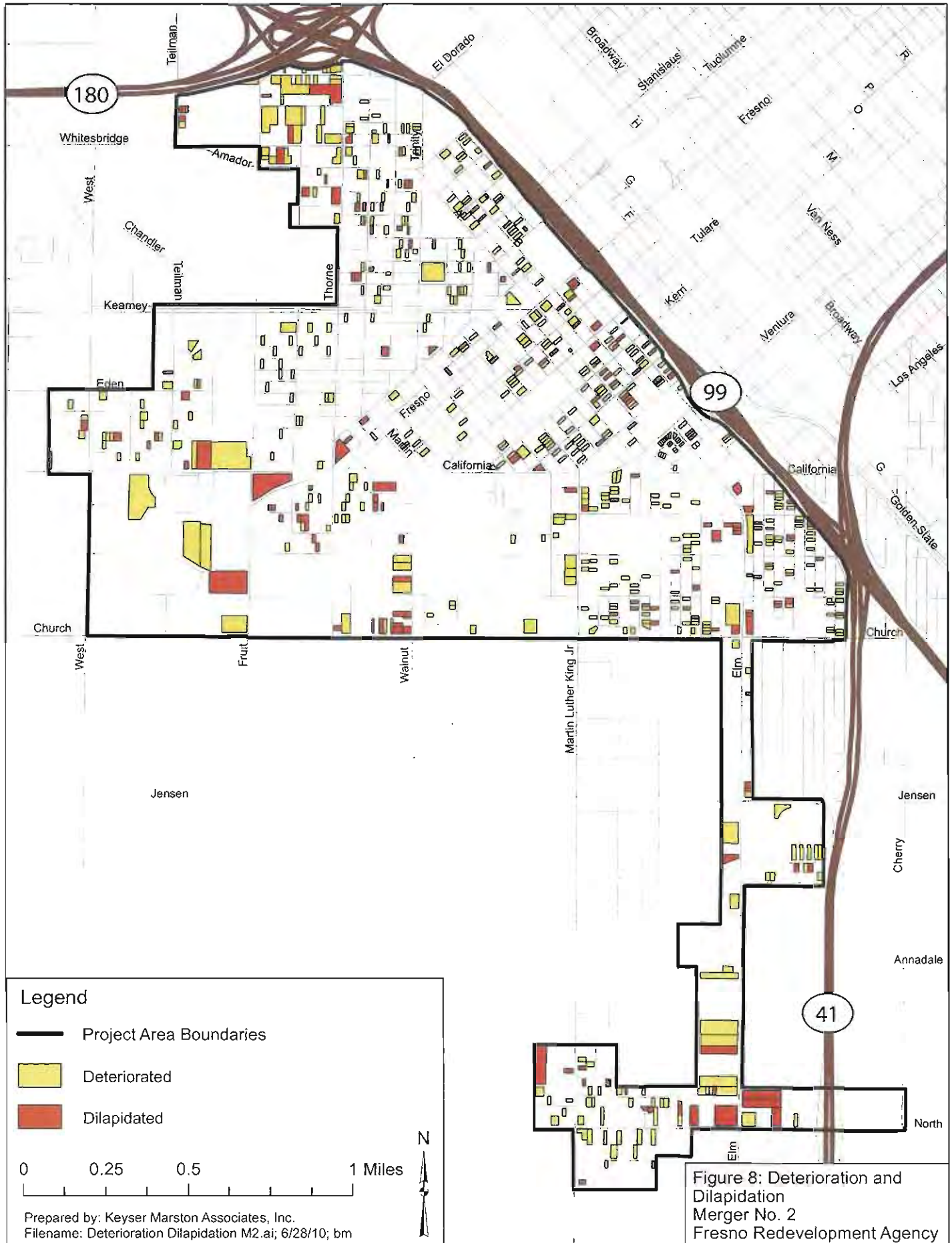


Table 12: Categories for Serious Code Complaints

Category	Abbr.	Examples	Relation to Bight
Unsafe Buildings	HCOV PNVB CBDB CBOV DEMO HCDD HCDR HCHC HCNO PNFH	Open/Vacant Building Vacant/Blighted Building Dangerous Building Ordinance Commercial Building Open/Vacant Demolition Program Dangerous Building - Demo Dangerous Building - Repair Hazardous Conditions Notice & Order for Repair Fire Hazard	Attractive nuisance/hazard Attractive nuisance/hazard Unsafe structure/ repair required Attractive nuisance/hazard Unsafe requires demolition Unsafe requires demolition Unsafe corrective repair required Unsafe/hazard Unsafe/repair ordered for safety Unsafe/abatement of conditions required
Inadequate Utilities	HCSO HCHT HCNU	Sewer Overflow No Heat No Utilities	Unsafe hazardous condition Unhealthy/ utility required Unhealthy/ utility required
Illegal Occupancy	HCIO ZCRH OCU	Occupancy Violation RV Inhabited Occupancy Violation	Unsafe or impact to surround uses Unsafe for full time occupancy Unsafe or impact to surround uses
Other Serious Code Violations	HCRP HCCP ZCUS HCSH HCCC ZCIS PNDT PNHE PNRV	Housing Code Repair Construction Without Permits Unapproved Structure Safe Housing Code Compliance Illegal Storage Dead Tree/Fire Res/Demo D Hazardous Easement Obstruction Rubbish/Junk/Misc.	Unsafe/ repairs required Adequacy of construction unverified Adequacy of construction unverified Unsafe housing Uncorrected code violation Unsafe/hazardous Unsafe/hazardous Unsafe/hazardous Unsafe/hazardous
Animals and Vermin	HCII PNDD ZCFA	Insect Infestation Dog Droppings Farm Animals on Property	Unsafe/ potential disease transmission Inadequate and unsafe waste disposal Location unsafe and unpermitted for commercial animals

Source: City of Fresno

The number and frequency of serious complaints suggest that there are many types of code violations that have become persistent problems in the Project Area. Common code complaints that are serious in nature include construction without permits or necessary City approvals, violations of the City's Dangerous Building Ordinance, the illegal occupancy of garages, sheds or other structures that are not intended for occupancy, or persons living in RVs or campers as permanent residences.

A total of 2,107 serious code complaints were recorded between 2002 and April 2008 for the Project Area out of a total of 36,982 serious code complaints Citywide. These data are summarized by category on Table 13. The locations of these code complaints are shown on Figure 9. Overall, despite only representing four percent of the City's population, the Project Area accounts for six percent of the total serious code complaints and ten percent of the code complaints involving unsafe buildings.

Table 13: Serious Code Complaints – 2003 Through April 2008

	Project Area	Balance of the City ¹	Project Area as % of Total
Unsafe Buildings	340	3,324	10%
Inadequate Utilities	182	2,926	6%
Illegal Occupancy	78	2,071	4%
Animals and Vermin	137	2,858	5%
Other Serious Complaints	1,370	25,803	5%
Total Complaints	2,107	36,982	6%

¹Balance of the City excludes the Merger 1 Project Area.
Source: City of Fresno

In addition, when comparing the rate of complaints per 1,000 acres, the number of complaints is disproportionately high and in some cases is more than double the rate of complaints in the balance of the City (see Table 14).

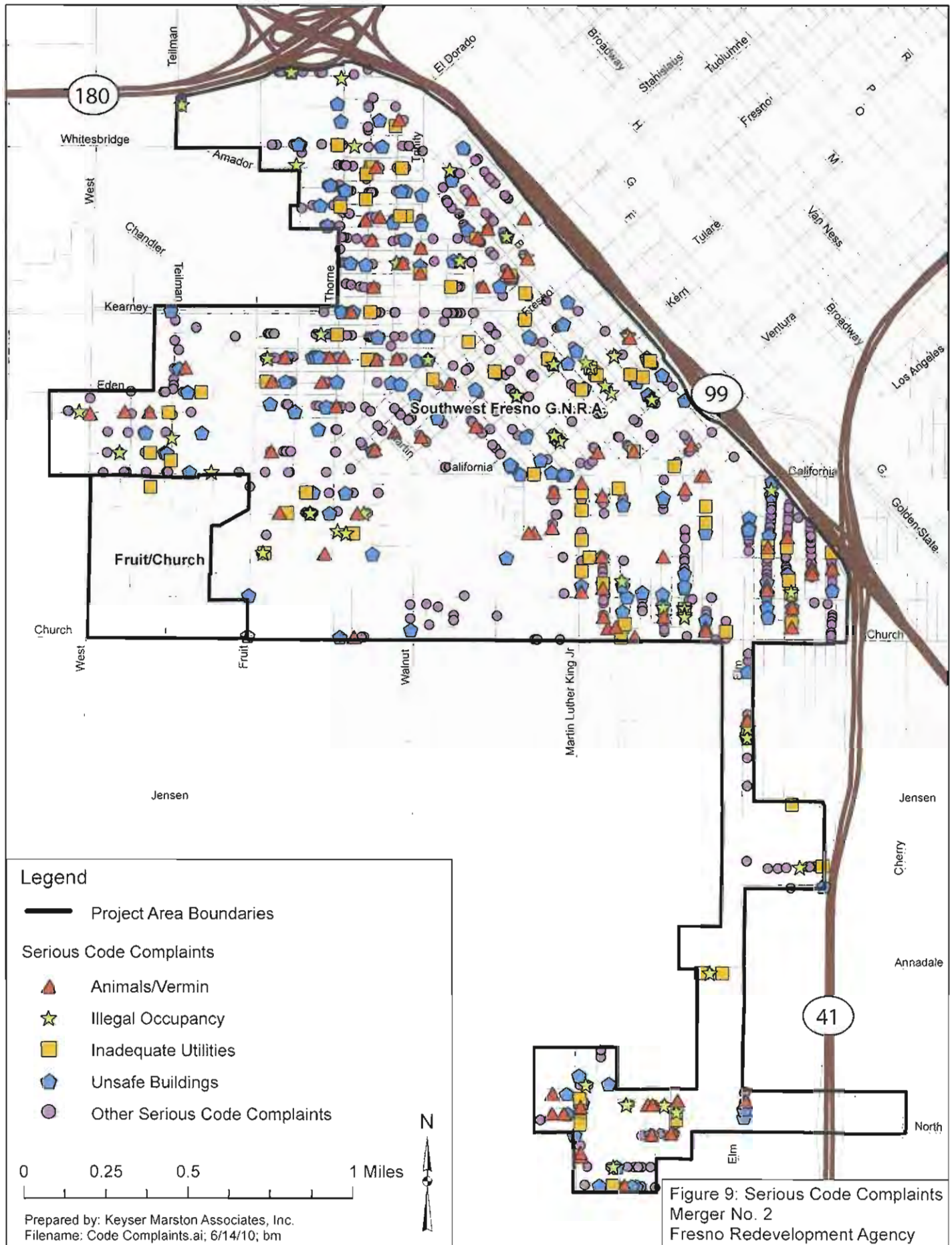
Table 14: Comparison of Code Complaints per 100 Acres

	Project Area	Balance of the City ¹
Unsafe Buildings	17.9	4.8
Inadequate Utilities	9.6	4.2
Illegal Occupancy	4.1	3.0
Animals and Vermin	7.2	4.1
Other Serious Complaints	72.1	36.9
Combined Serious Complaints	110.9	53.0

¹Balance of the City excludes the Merger 1 Project Area.
Source: City of Fresno

2. Conditions That Prevent or Substantially Hinder the Viable Use or Capacity of Buildings or Lots

As described in the CRL, these conditions may be caused by buildings of substandard, defective or obsolete design or construction given the present general plan, zoning, or other development standards.



The field survey identified 123 buildings in this category, including sixty-six buildings of substandard construction, twenty-five obsolete buildings, forty buildings in need of inspection by code enforcement officials, and twenty-two buildings constructed of unreinforced masonry.

Substandard Buildings included:

- Buildings with extensive dry rot
- Unreinforced masonry buildings (“UMB”s) that appeared to lack seismic retrofitting
- Buildings with substandard materials such as corrugated metal panels or plywood used as siding or exterior finishing material inappropriately
- Buildings that were being supported by exterior bracing to prevent collapse
- Buildings identified as unsafe by code enforcement, i.e., marked with a red “x” on the exterior

Obsolete Buildings include:

- Un-maintained buildings, such as rusting or deteriorating Quonset huts
- Industrial buildings with rail-oriented loading facilities on the building but no rail access, i.e., the siding railroad tracks had been removed
- Old gas stations of substandard construction

Substandard buildings hinder use and viability of buildings by resulting in conditions that are unsafe or unhealthy for persons to live or work or reduce the usable space of a structure. Conditions of dry rot, inappropriate use of building materials, bracing or buildings deemed unsafe by code enforcement may not be safe for occupation without substantial improvements. The use of unreinforced masonry buildings may also be limited. For example the use of upper floors of an unreinforced masonry building are often limited or unpermitted until the structure has been fully reinforced. In some instances buildings of obsolete design such as Quonset huts cannot house a contemporary industrial use. These buildings and other older industrial buildings do not provide for contemporary clear heights, dock level truck loading or for the power needs of contemporary businesses. In the retail example, old gas stations typically do not provide retail space (mini-market) and/ or car repair facilities that are needed to attract patrons.

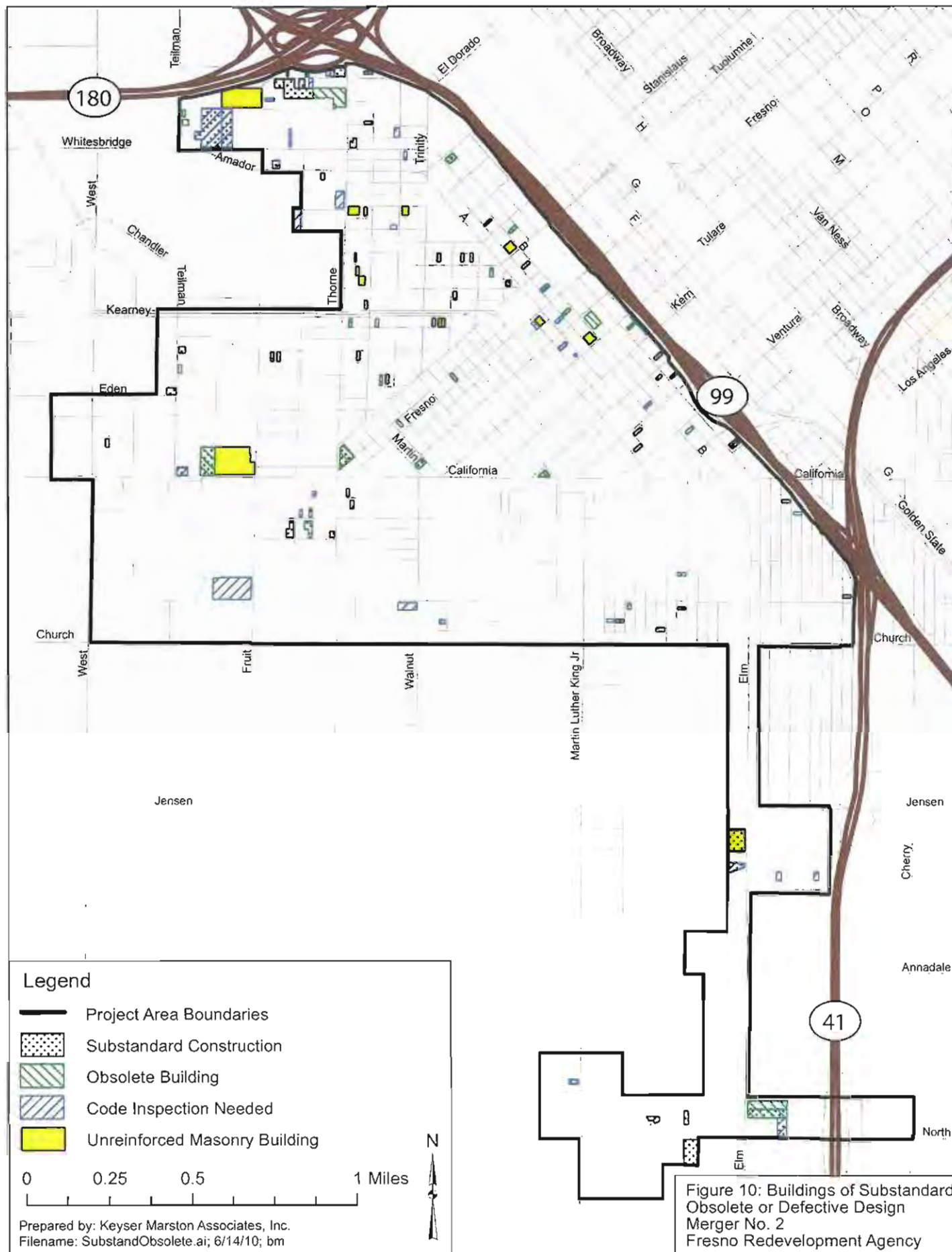
Combined, these conditions affected 123 buildings or three percent of the parcels in the Project Area.

3. Adjacent or Nearby Incompatible Land Uses that Prevent the Development of those Parcels or Other Portions of the Project Area

The historic and current uses in and around the Fruit Church area have a negative impact on surrounding properties and the ability of the private sector to attract business and development to that portion of the Project Area. The Fruit Church area was originally part of Fresno County. Prior to annexation, there were a number of heavy commercial and industrial uses in the area. The area became the location of “undesirable” uses that served the City but remained outside of City limits. In addition to animal processing and rendering, there were automobile wrecking and salvage yards in the area, as well as open burning trash pits, landfills and dumps. Relative to current standards, these uses were lightly regulated as modern environmental health and safety regulations had not yet been promulgated. A significant portion of the Fruit Church area was a former construction debris fill site.

In the 1960s, Fruit Church and the immediate vicinity was a hub of animal processing and related activity. There was a major meat processing facility was in operation at the northwest corner of Fruit Avenue and Church Road. At that time, plans called for the Fruit Church area to be an industrial park oriented towards accommodating heavy industrial uses. However, the extensive remediation required by environmental regulations to make redevelopment of the landfill and dump sites possible was prohibitive. The costs, in conjunction with the potential liabilities discouraged property owners. Even with Agency assistance, redevelopment of much of the Fruit Church area has been infeasible. For example, the Agency acquired and sold property south of Florence Avenue to Zacky Farms (now Foster Farms) for development into a chicken processing facility. But the company has only been able to develop portions of the site due to the prohibitive costs of remediating the portions of the property that were formerly used as a dump. The properties north of the Zacky Farms plant along Florence Avenue remain vacant due to the presence of a former landfill.

Even though the remaining animal processing facilities in the area attempt to reduce the smells and other impacts of their businesses, issues and community concerns remain. For example, residents in the area continue to complain of foul odors emanating from the nearby rendering plant, an excessive numbers of flies in the area, and the dogs that roam the streets following trucks leaking blood from the dead animals that are hauled to the rendering plant. In 2008, it took concerted effort by the community and the City to shut down a plant in the area that processed waste water from milk and cheese production due to numerous solid waste and public nuisance violations and citations at the plan due to odor and overwhelming air-borne chemicals. These noxious smells have triggered numerous complaints by local residents, school children who smell the odors when they are outside playing or going to and from school, and business and property owners who lost customers or couldn't attract businesses due to the odors.



To assess the number of people potentially impacted by the presence of these industrial uses, the population within a one-mile radius at the intersection of Fruit Avenue and Florence Avenue was estimated. Within one mile, there are 8,435 residents. There are also four parks, one playground, a community center, one high school, two middle schools, and two elementary schools within a one-mile radius of the Fruit/Florence Avenues intersection. Between the impacts of the industrial uses and the amount of land that has been contaminated or that is unbuildable due to the presence of hazardous wastes, much of the area is underdeveloped. A significant number of the lots in the area are vacant (see Figure 6 on page 26).

These industrial uses are incompatible with the adjacent and nearby residential and sensitive uses in the Project Area and have prevented the development of parcels in the surrounding area.

D. SIGNIFICANT REMAINING ECONOMIC BLIGHTING CONDITIONS

1. Depreciated or Stagnant Property Values

a) *Single-Family Home Sales Prices*

Single-family home sales prices were analyzed for the period 2002 through the first quarter of 2009. As with housing prices in the Central Valley, California and much of the U.S. in general, sales prices experienced a rapid rise beginning in 2003, peaked in 2006 and descended even more rapidly thereafter. The rapid increase in home prices was driven, in part, by low interest rates and readily available non-conventional mortgages. Throughout the period analyzed, home median sales prices in the Project Area were low relative to the City and the County. As shown in Table 15, even at the peak year of home prices (2006), the median home sales price in the Project Area, at \$175,500 was thirty-eight percent below the Citywide median and forty-one percent below the Countywide median. In addition, while the median home sales price for the City and the County were at or above the medians in 2002, the median sales price in the Project Area remained below the 2002 median in the Project Area as of the end of the first quarter of 2010.

Results are similar when comparing median sales prices on a per-square-foot basis. The median price per square foot in the Project Area is fifty-five percent of the median for the City and fifty-two percent of the County median.

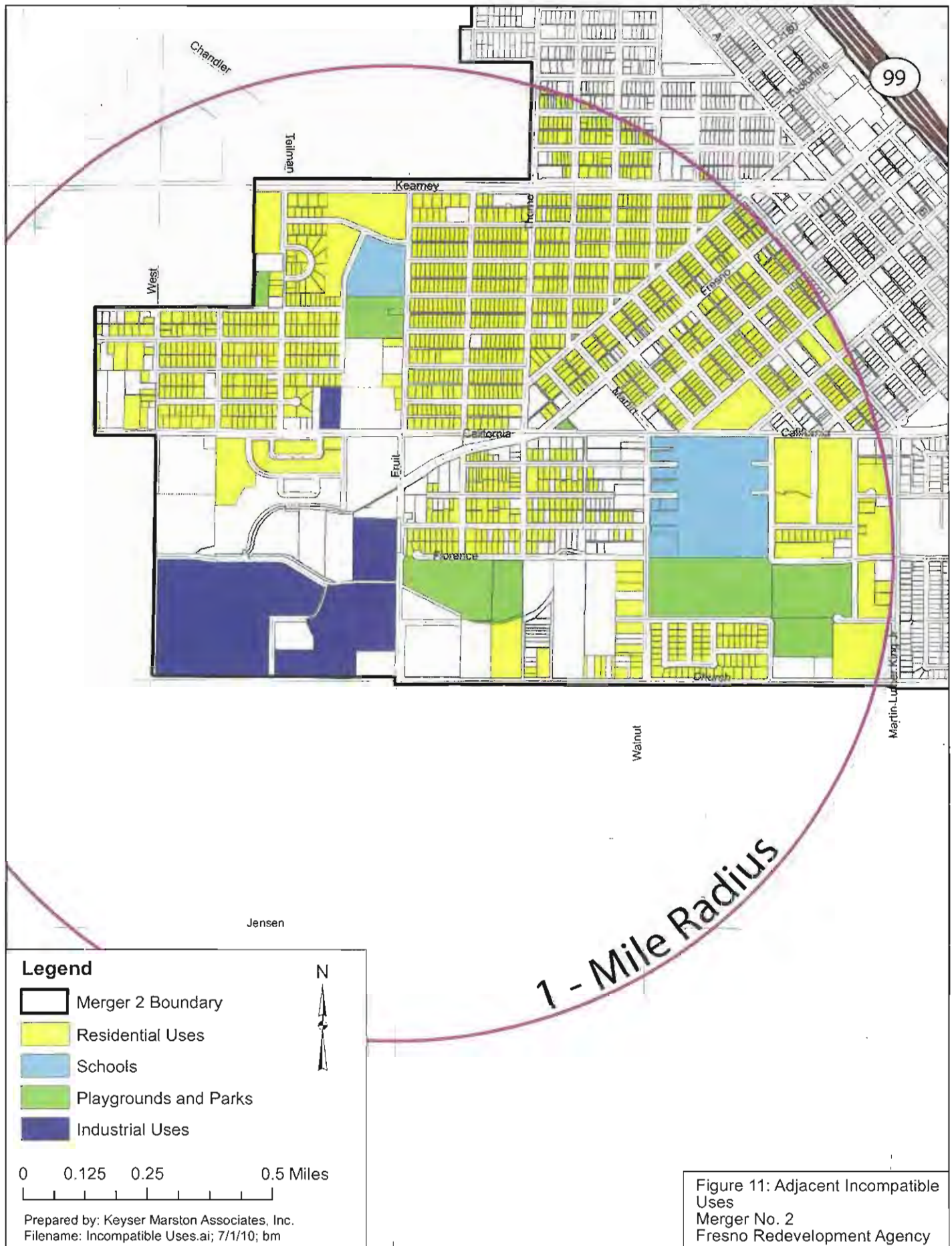


Table 15: Comparison of Median Single-Family Home Sales Prices

	Median Sales Price			Median Sales Price Per Sq. Ft.		
	Project Area	City of Fresno	Fresno County	Project Area	City of Fresno	Fresno County
2002	\$70,000	\$131,000	\$137,000	\$58.26	\$86.01	\$87.75
2003	\$70,000	\$162,500	\$169,000	\$66.53	\$108.57	\$108.59
2004	\$113,000	\$214,000	\$220,000	\$93.46	\$138.42	\$137.87
2005	\$160,000	\$270,000	\$280,000	\$142.22	\$177.45	\$177.25
2006	\$175,000	\$281,500	\$295,000	\$160.53	\$190.62	\$192.99
2007	\$162,500	\$258,000	\$269,000	\$130.91	\$170.95	\$172.28
2008	\$83,000	\$189,000	\$206,000	\$64.43	\$114.29	\$120.70
2009	\$45,500	\$131,000	\$147,500	\$40.96	\$84.72	\$91.21
1st Qtr 2010	\$50,000	\$137,500	\$150,000	\$48.35	\$88.39	\$92.72

Source: Dataquick

The median sales prices have not only declined in absolute terms. The relative median sales price in the Project Area has also declined in comparison to the City and County medians, rising from roughly fifty-percent in 2002 to roughly sixty percent in 2006 but declining to roughly one-third in 2009. As shown in Table 16, in 2002, the Project Area median sales price was fifty-three percent of the City median and fifty-one percent of the County median. At the end of the first quarter of 2009, the Project Area median sales price had declined to thirty-six percent of the City median and thirty-three percent of the County median.

Table 16: Relative Median Single-Family Home Sales Prices

Project Area median relative to:	2002	2006 (Market Peak)	1 st Quarter 2009
Citywide median	53%	62%	36%
Countywide median	51%	59%	33%

Source: Dataquick

In addition to having depreciated home sales prices, the Project Area is among those portions of the City and the County with high levels of foreclosures and at greatest risk for continuing foreclosures. The high level of foreclosures continues to put downward pressure on home prices, as there are more homes for sale in the area at one time.

In planning for its Neighborhood Stabilization Program ("NSP") to assist communities with addressing the high levels of foreclosure and abandonment of homes due to the collapse of the housing bubble, HUD utilized data from the Mortgage Bankers

Association National Delinquency Survey and other federal agencies to develop a database and analysis of foreclosure risk down to the census tract level. The estimated number of foreclosures from January 2007 through June 2008, the estimated foreclosure rate, and the number and proportion of mortgages that were considered "high cost" mortgages (based upon mortgages between 2004 and 2006) were compared for the six census tracts that incorporate the Project Area and for the balance of the City. The estimated foreclosure rate and percentage of high cost mortgages in the Project Area were higher than the comparable figures for the balance of the City.

(Continued on the following page)

Table 17: Comparison of Foreclosure and High Cost Loan Data

	Project Area Census Tracts	Balance of the City
Estimated Number of Mortgages ¹	2,440	130,740
Estimated Number of Foreclosures ²	313	11,734
Estimated Foreclosure Rate	13%	9%
Number of Mortgage Loans (w/ Cost) ³	2,194	117,626
Number of High-Cost Mortgage Loans ⁴	1,187	35,714
Percentage of High Cost Loans	54%	23%

¹HUD estimated number of mortgages made between 2004 and 2006.

²HUD estimated number of foreclosure starts over eighteen months from January 2007 through June 2008.

³Number of conventional mortgage loans made between 2004 and 2006 for which loan cost data were available according to the Home Mortgage Disclosure Act.

⁴Number of conventional mortgages where the rate spread is three percentage points above the Treasury security of comparable maturity.

Source: HUD Neighborhood Stabilization Program

These data are consistent with the data prepared by the City for the use of the \$10.969 million in funds it received from HUD for the NSP. As a component of the CDBG Program, the City prepared an amendment/update to its Consolidated Plan (i.e. its five-year strategy) and its 2008-2009 Annual Plan for the use of CDBG funds. While the Project Area is not generally considered one of the areas with the highest concentration of foreclosures, a map prepared by the City illustrating the CDBG eligible areas and bank-owned properties illustrates that the Project Area and vicinity incorporates a significant portion of the bank-owned properties southwest of Highway 99 and south of Highway 180 (see Figure 12).

High levels of foreclosure and significant declines in value are known to have negative impacts on neighborhoods, triggering increases in crime, code violations and neglect. An article in the Fresno Bee described the problems that have been created by vacant or neglected, foreclosed properties, including unsecured buildings that attract squatters, trash and debris piled up on properties, and increased break-ins and burglaries.¹³ The significant declines in value, combined with the reluctance of banks to modify existing mortgages, and economic difficulties faced by homeowners are making a near-term recovery unlikely. Economists have also noted that the significant declines in home prices have also made it more practical for many homeowners to "strategically default" rather than continue to make payments on mortgages that are more than the homes are worth and that are unlikely to recover in value in the near or mid term.¹⁴ These higher risks of foreclosure only exacerbate the problems of crime and other blighting conditions.

¹³ Brad Banan, "The Domino Effect: Crime, lower home values often follow foreclosures in areas hit hardest by mortgage mess," The Fresno Bee, 10 February 2008.

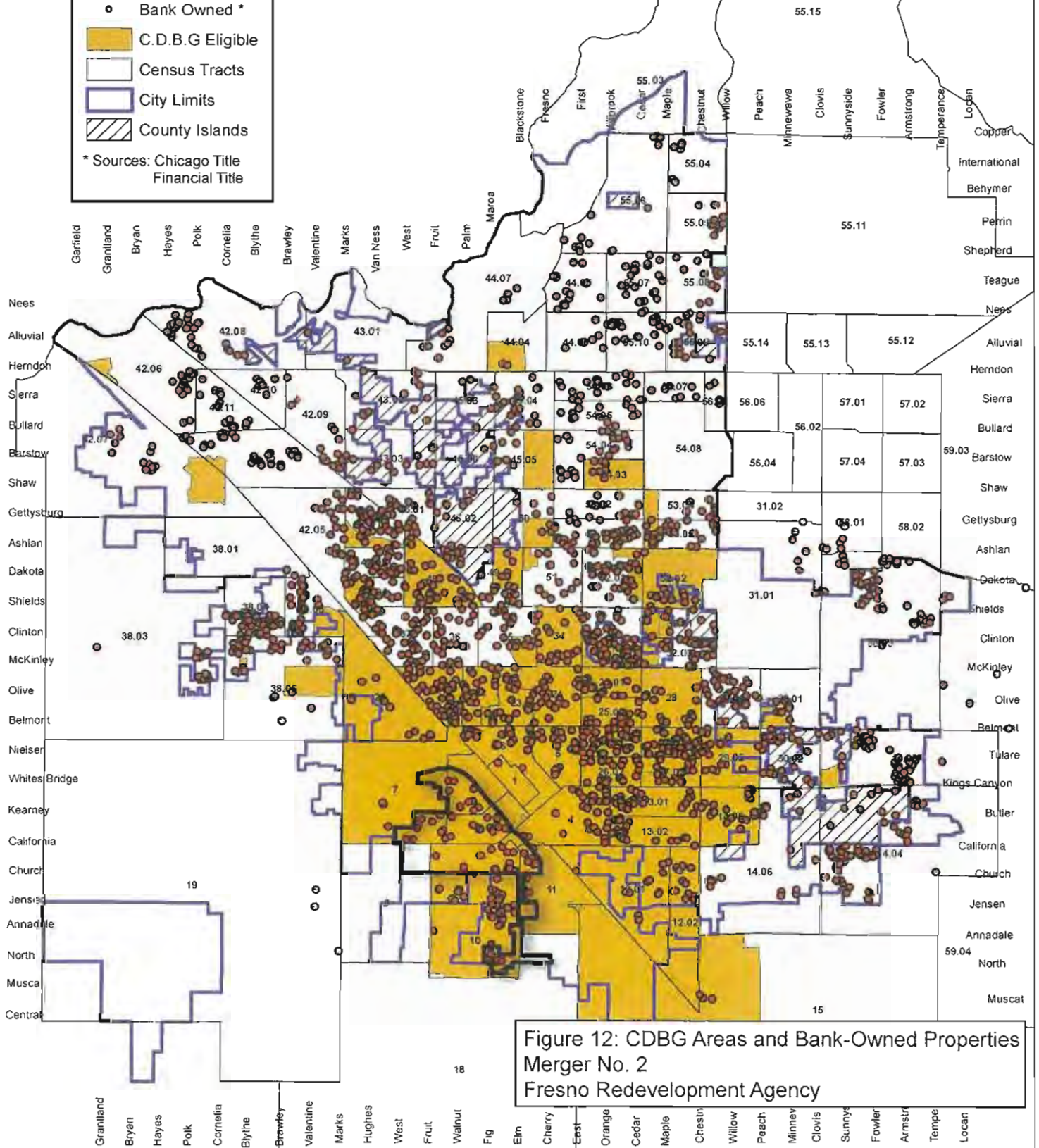
¹⁴ Tim Sheehan, "More Valley homeowners abandon mortgages," The Fresno Bee, 8 May 2010.

City Of Fresno Community Development Block Grant Eligible Areas And Bank Owned Properties

Legend

-  Merger No. 2 Project Area
-  Bank Owned *
-  C.D.B.G Eligible
-  Census Tracts
-  City Limits
-  County Islands

* Sources: Chicago Title
Financial Title



The relatively low median sales prices in the Project Area indicate that single-family home property values are depreciated in absolute terms and relative to values in the City and the County overall. In addition, the relatively high foreclosure rate and high percentage of mortgages that are high-cost loans indicates that the Project Area is at continued risk of high levels of foreclosure, decline or stagnation of home values, and the associated higher levels of crime and disinvestment.

2. A Lack of Necessary Commercial Facilities Normally Found in Neighborhoods

The Project Area and Southwest Fresno has suffered from a lack of necessary commercial facilities for a long time. In 1977 when the Edison Community Plan was prepared, it identified a number of issues relating to commercial facilities that continue to affect the Project Area. The issues identified were:

- A shortage of retail, professional, office, and financial services in the community.
- Residents have insufficient choice of commercial services.
- Goods and services are frequently overpriced and excessive credit buying is encouraged.
- Commercial services are inefficiently scattered.
- There are few modern shopping centers in the community.¹⁵

As described in the FRS/Brookings Study, the lack of necessary and commonplace commercial facilities also indirectly contributes to the crime problems in West Fresno in that there are few safe alternatives to gang activities. There are few safe social and recreational activities for youth, such as movie theaters or malls. In addition, this lack of commercial facilities limits the potential job opportunities in the neighborhood where youth may gain workforce-preparedness skills.¹⁶

a) *Lack of Supermarkets*

An analysis of the location and number of supermarkets in the Project Area and vicinity reveals that there is a lack of necessary supermarkets. These findings are consistent with the findings of multiple studies of the availability of supermarkets and the impact of inadequate supermarkets on diet and health in low income communities. For example, the California Center for Public Health Advocacy ("CCPHA") cited limited access to

¹⁵ Edison Community Plan, page 40.

¹⁶ FRB Brookings Study, page 30.

healthy foods in low income neighborhoods as one of the causes of childhood obesity.¹⁷ CCPHA completed an analysis of the rates of childhood obesity in California by State Assembly District. The Project Area and most of the City of Fresno are within Assembly District 31. In Assembly District 31, between twenty-six-point-six and thirty-point-three percent of children are overweight.¹⁸ A Los Angeles-area study conducted by the Center for Food Justice ("CFFJ") at Occidental College revealed that the most common places to buy food in the low income neighborhoods studied were carryout/fast food restaurants and convenience/liquor/corner stores.

While the small convenience stores tend to provide certain dietary staples at low prices (such as milk and bread) they also tend to offer fewer healthy food choices and more nutritional foods such as fresh meats and vegetables tend to be of lower quality.¹⁹

In order to assess the number of supermarkets serving the Project Area, supermarkets throughout the City were identified using web-based directories and field survey data. The locations of the supermarkets are shown on Figure 13. The terms "grocery store" and "supermarket" may have a variety of meanings depending upon the context. The definitions used in this analysis are based upon the definitions used by the Food Marketing Institute. For the purpose of this analysis, a "supermarket" was defined as a grocery store with a full line of groceries, meat, produce, and some general merchandise and health and beauty products with at least 25,000 to 40,000 square feet of floor area.²⁰ As shown on Figure 13, there are several supermarkets north and east of the Project Area. There is only one supermarket in the Project Area. Typically, a supermarket will serve residents within one to three miles depending upon population density, population clusters, the presence of major barriers (such as freeways) and other factors. For purposes of analysis, supermarkets within a two-mile radius near the center of the Project Area were considered to be those that serve the Project Area. Only one supermarket serves the Project Area: a Food Maxx supermarket within the Kearney Palms Shopping Center on Fresno Street. Within a two-mile radius of the center of the Project Area, there is also a Smart & Final store on H Street in the downtown.

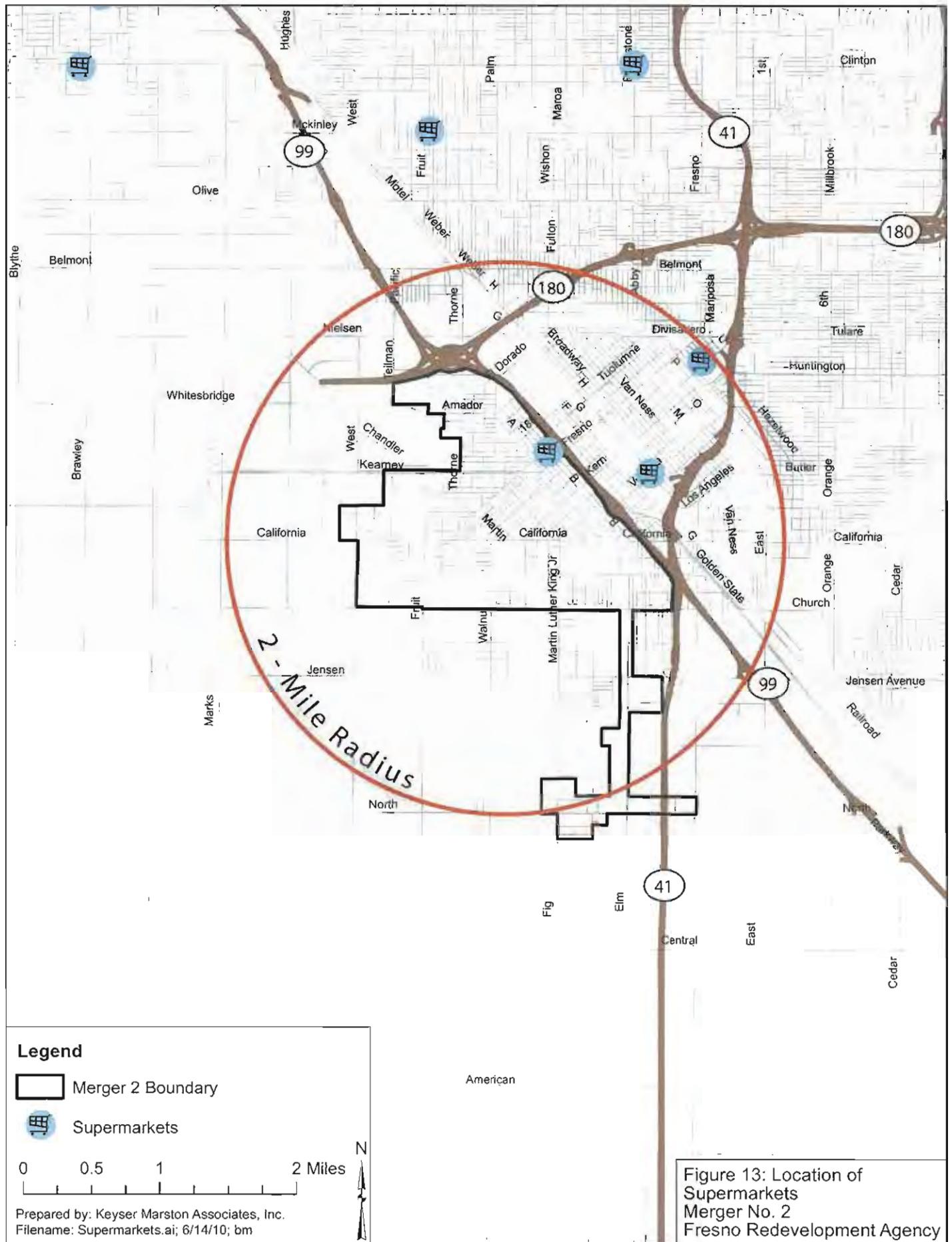
Though the Smart & Final in the downtown is within the two-mile radius, it is separated from the Project Area by a major barrier: Highway 99.

¹⁷ Source: California Center for Public Health Advocacy (CCPHA): Legislative District Policy Brief No. 1, "Overweight and Unfit Children in California Assembly Districts, page 2. Policy Brief downloaded from the CCPHA website: http://www.publichealthadvocacy.org/policy_briefs/study_documents/Policy_Brief1.pdf.

¹⁸ CCPHA, page 4, Map A.

¹⁹ Source: DFFJ, Urban and Environmental Policy Institute, Occidental College. "The Persistence of L.A.'s Grocery Gap: The Need for a New Food Policy and Approach to Market Development." May 28, 2002, pages 16-17.

²⁰ Three stores that would be considered "mini-club" stores (Smart & Final) were also included as supermarkets for purposes of this analysis because their selections more closely resembles that of a supermarket despite the fact that the floor area of one store was smaller than 25,000 square feet (approximately 16,500 square feet) and typically the range of goods offered at these stores is more limited. Two of the supermarkets (a Save Mart and a Food Maxx) also had estimated building square footages that were under 25,000 square feet but were also included in the analysis. The source of food store definitions is the Food Marketing Institute website at: http://www.fmi.org/facts_figs/?fuseaction=superfact.



Thus, for practical purposes, the Project Area is served by only one supermarket.

Table 18: Comparison of Supermarket Availability

	Project Area	2-Mile Radius*	City of Fresno
Population	16,897	35,780	477,831
No. of supermarkets	1	2	43
Supermarkets per capita	5.9	5.6	9.0
No of persons per supermarket	16,900	17,900	11,100

*Two-mile radius at the intersection of Tulare and California Avenues. Source: Claritas, Switchboard.com

b) Lack of Drug Stores

There are only two pharmacies in the Project Area, which equates to one drug store for every 8,400 people. Within a two-mile radius of the Project Area, there are an additional three pharmacies available, all of which are located in the downtown area and on the east side of Highway 99. These five drug stores represent one drug store for every 7,200 persons. By comparison, there is one drug store for every 4,700 people in the City as a whole.

Table 19: Comparison of Drug Store Availability

	Project Area	2-Mile Radius*	City of Fresno
Population	16,897	35,780	477,831
No. of drug stores	2	5	116
Drug stores per capita	11.8	14.0	21.3
No of persons per drug store	8,400	7,200	4,700

*Two-mile radius at the intersection of Tulare and California Avenues. Source: Claritas, Switchboard.com

c) Lack of Banks and Other Financial Institutions

There are no banks or other financial institutions, such as savings banks or credit unions in the Project Area. While there are thirteen financial institutions within a two-mile radius twelve of these are in the Downtown and the other is north of Highway 180 (see Figure 15). These institutions are not convenient or readily accessible to Project Area residents. A survey of banks and financial institutions in for the City as a whole identified 140 banks, or roughly one bank per 3,400 people. Using this ratio as a guide, the Project Area would be expected to have four or five banks in its vicinity. The FRS/Brookings Study noted that until 2006, West Fresno did not even have an automatic teller machine (ATM).

Table 20: Comparison of Financial Institution Availability

	Project Area	2-Mile Radius*	City of Fresno
Population	16,897	35,780	477,831
No. of financial institutions	2	13	140
Financial institutions per capita	11.8	36.3	29.3
No of persons per financial inst.	8,400	2,800	3,400

*Two-mile radius at the intersection of Tulare and California Avenues. Source: Claritas, Switchboard.com

There are two check-cashing businesses within the Project Area, both of which are on Fresno Street east of A Street and, therefore, very close to Highway 99 and Downtown. Nevertheless, check-cashing businesses are not a substitute for regular financial institutions as they do not offer checking or savings accounts, or other products that allow people to save and invest their money. Furthermore, check-cashing businesses charge fees for every service they offer, whereas financial institutions may offer check-cashing or other services for free to regular customers.

The lack of traditional banks and financial institutions makes it more challenging for residents to build assets, save and invest for the future. Asset building is one of the key elements in community development as it promotes increased participation in the community²¹ and well as investment in one's self and family. As described in one of the policy papers published by the Federal Reserve Bank of San Francisco, inadequate access to mainstream financial services such as saving or interest bearing checking accounts hinders the ability of low income households to build assets to withstand economic crises such as a job loss, illness, or divorce.²²

Studies have also shown that access to credit, the ability to invest and the associated increases in wealth encourage investment in human capital by younger generations, increases the productivity of the poor and improves their quality of life.²³

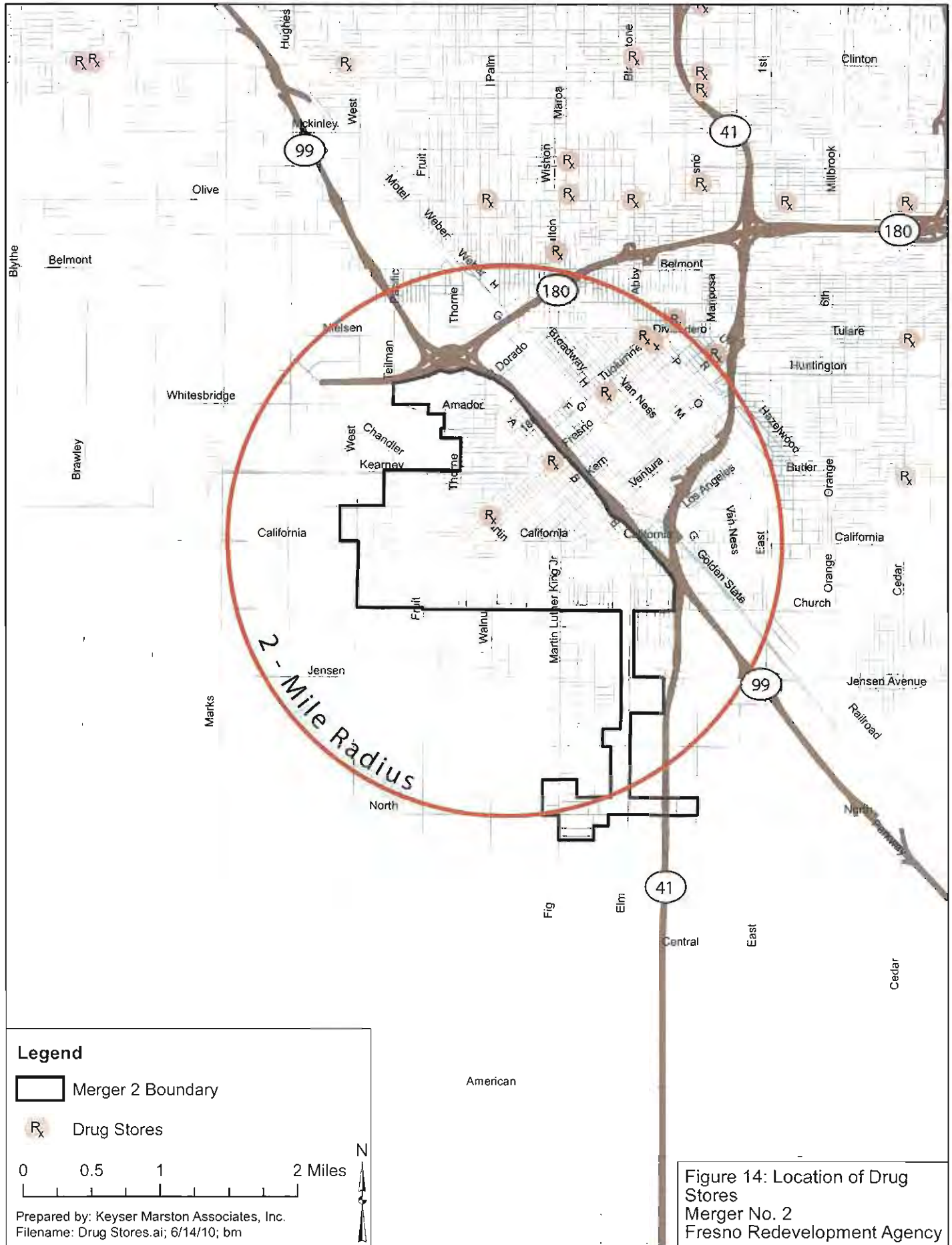
The lack of banking services was also noted in the FRS/Brookings Study as one of the factors that ties into the lack of commercial development and investment in West Fresno.²⁴

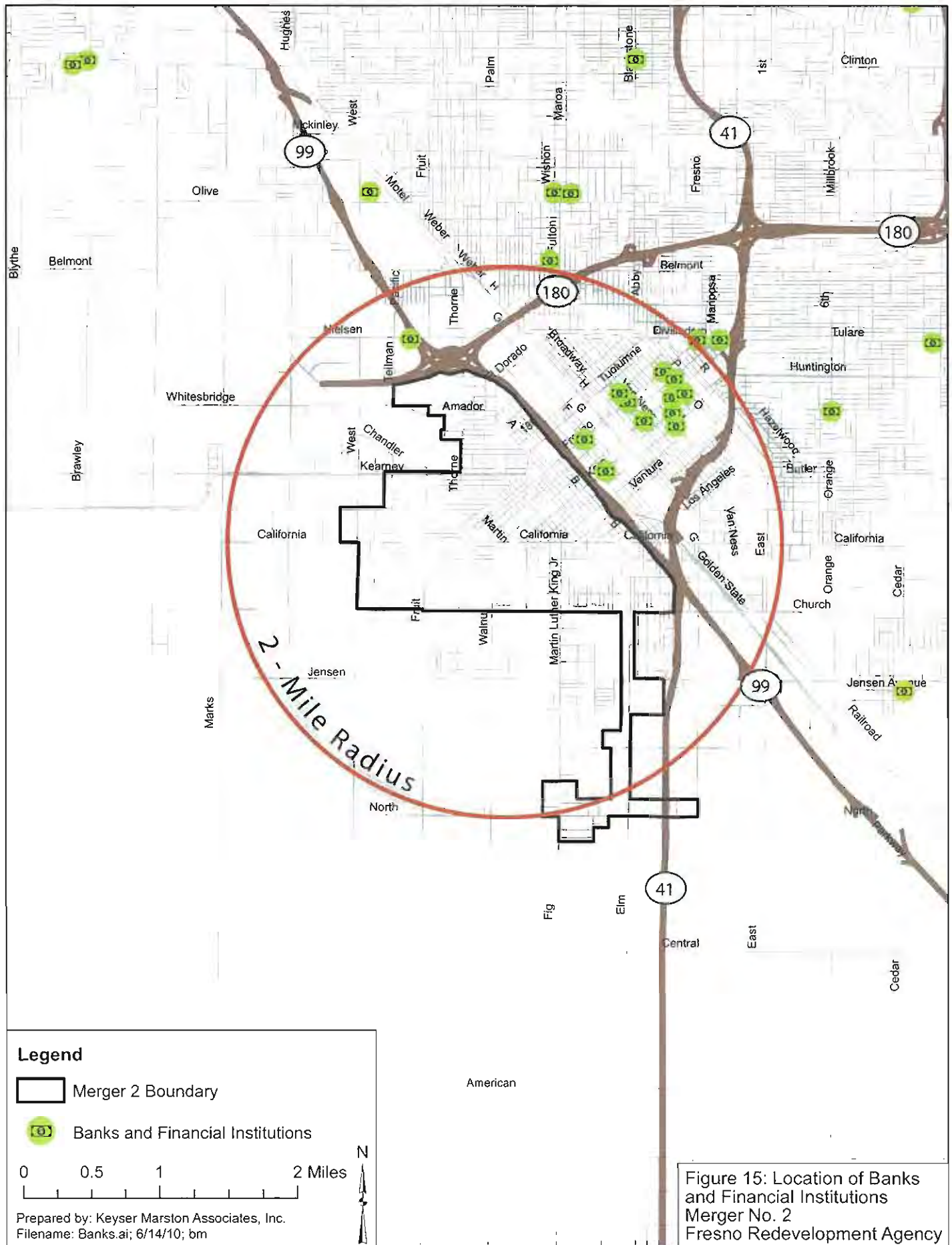
²¹ Summarized from published articles on the societal benefits on asset building by Michael Sherraden including "From the Social Welfare State to the Social Investment State" in Issue #128, March/April 2003 and "Building Assets to Fight Poverty" in Issue #110 March/April 2000 of [Shelterforce Online](#) by the National Housing Institute

²² Reid, Carolina. "Savings in the Spotlight: Making a Case for Asset Building Policies and Programs." Federal Reserve Bank of San Francisco. Published in [Community Investments](#), Volume Seventeen Number 2, May 2005, pp. 3-5.

²³ O. Emre Ergunor, "Bank Branch Presence and Access to Credit in Low to Moderate Income Neighborhoods," [Working Paper 06-16](#), Federal Reserve Bank of Cleveland, December 2006.

²⁴ FRS/Brookings Study, West Fresno Case Study, page 29.





3. Serious Residential Overcrowding That Has Resulted in Serious Public Health or Safety Problems

Based upon the most commonly accepted definition overcrowding used by the U.S. Department of Housing and Urban Development ("HUD"), an overcrowded housing unit is one that has more than one-point-zero persons per room. The HUD definition of room excludes bathrooms, laundry rooms, utility rooms, pantries, and unfinished rooms. A severely overcrowded unit is one that has more than one-point-five person per room.

Based upon 2000 Census data, the eighteen census tracts that overlay the Project Area (see Table 22) have rates of overcrowding that are significantly higher than rates for the City and County. As shown in Table 21, twelve percent of the housing units were overcrowded vs. seven percent for the City and County. Seventeen percent of housing units were severely overcrowded vs. only ten percent for the City and County. Combined, twenty-nine percent of housing units in the Project Area have some form of overcrowding vs. only seventeen percent in the City and the County.

Table 21: Residential Overcrowding

Persons Per Room	<u>Merger 2 Areas*</u>		<u>City of Fresno</u>		<u>Fresno County</u>	
	# of Units	% of Total	# of Units	% of Total	# of Units	% of Total
1.00 or Less (Ideal)	3,722	71%	116,289	83%	209,631	83%
1.01 - 1.50 (Overcrowded)	616	12%	10,140	7%	18,364	7%
1.51 or more (Severely Overcrowded)	905	17%	13,522	10%	24,945	10%
Total All Units	5,243		139,951		252,940	
Percent of Units with Overcrowded Conditions:		29%		17%		17%

Source: US Census Bureau, 2000 Census

Another indicator of overcrowding is population density. As shown in Table 22, while the Project Area as a whole has a population density that is only one percent higher than the Citywide population density, several of the census block groups that include the Project Area have population densities that are much higher. Of the eighteen census block groups, ten have population densities that are at least ten percent higher than the Citywide average. These ten census tracts include 10,587 people, or fifty percent of the population in all eighteen census block groups combined. Seven of the census block groups have population densities that are at least fifty percent higher than the Citywide average. These seven block groups include eighty-one percent of the population.

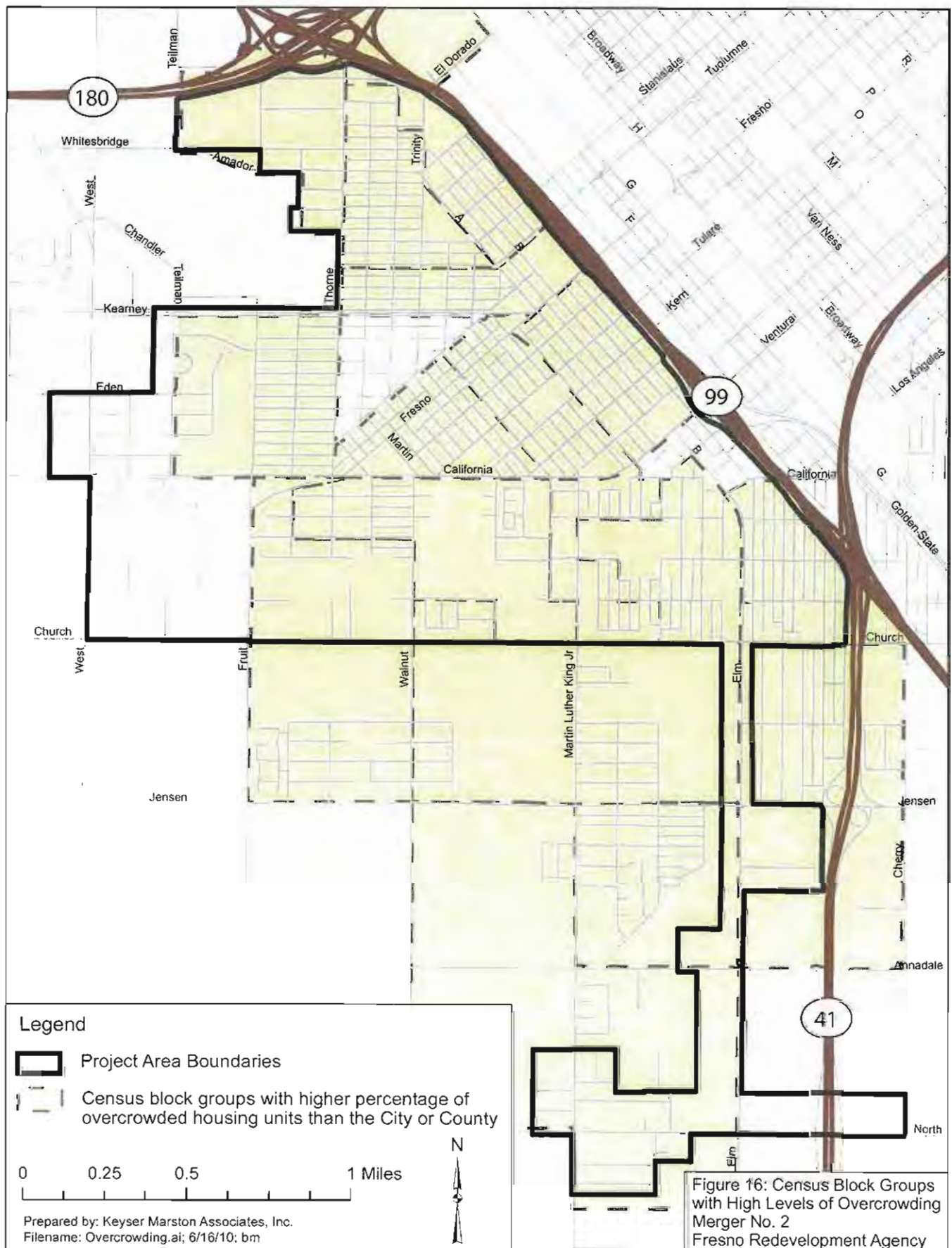


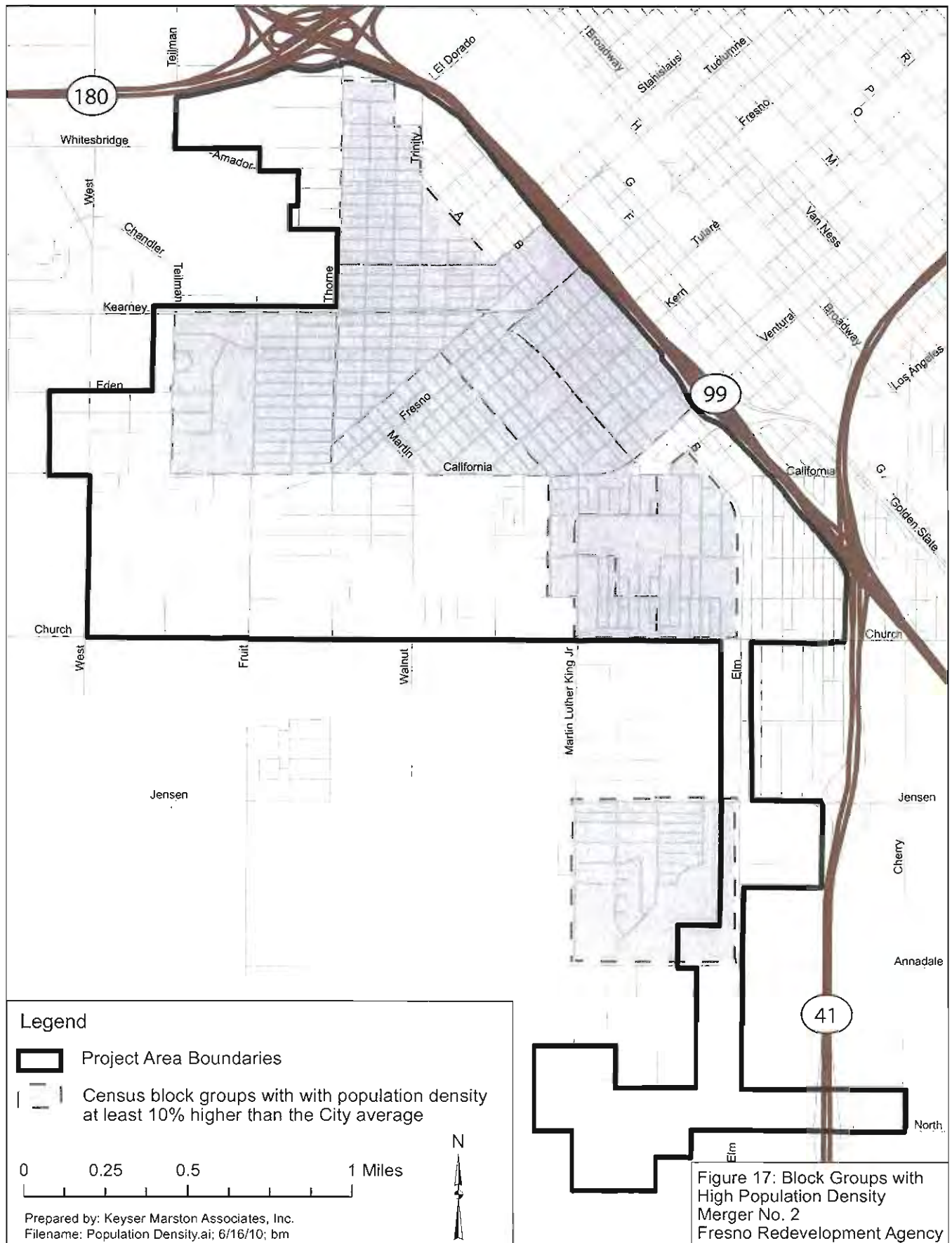
Table 22: Population Density by Census Block Group

Census Block Group	Land Area (Sq. Mi.)	Population (2000)	Population Density (Persons/ Sq. Mi.)	Percent +/- Citywide Average
2.2	0.12	639	5,325	24%
2.3	0.16	1,331	8,319	94%
2.4	0.23	834	3,626	-15%
3.2	0.17	970	5,706	33%
3.3	0.14	1,118	7,986	86%
3.4	0.14	911	6,507	52%
3.5	0.09	627	6,967	63%
7.2	0.20	463	2,315	-46%
7.3	0.25	1,650	6,600	54%
7.4	0.25	904	3,616	-16%
9.1	0.17	1,728	10,165	137%
9.2	0.53	1,429	2,696	-37%
9.3	0.43	648	1,507	-65%
9.4	0.26	1,092	4,200	-2%
9.5	0.11	1,613	14,664	242%
10.1	0.25	1,237	4,948	16%
10.2	0.88	2,623	2,981	-30%
11.3	0.51	1,346	2,639	-38%
				-100%
Project Area	4.89	21,163	4,328	1%
City	110.10	471,479	4,282	

Numbers in bold represent census tracts with population densities that exceed the Citywide average by 10 percent or more.
Source: U.S. Census Bureau

According to the American Public Health Association ("APHA") and the Centers for Disease Control and Prevention ("CDC")²⁵ residential overcrowding most directly affects physiological and psychological needs of human beings, namely the fundamental physiological need for adequate space for exercise and for children to play, and the fundamental psychological need for: 1) adequate privacy for the individual; 2) opportunities for normal family life; 3) opportunity

²⁵ According to the *Healthy Housing Reference Manual* published by the Centers for Disease Control and Prevention (CDC), people spend 50 percent or more of every day inside their homes and thus their housing environment constitutes one of the major influences on health and well-being. According to the CDC Manual, the link between housing and health were elucidated more than 60 years ago by the American Public Health Association (APHA) Committee on the Hygiene of Housing (CHH). In 1938, the CHH created the *Basic Principles of Healthful Housing*, which provided guidance regarding the fundamental needs of humans as they relate to housing. These fundamental needs include physiological and psychological needs, protection against disease, protection against injury, protection against fire and electrical shock, and protection against toxic and explosive gases.



for normal community life; 4) facilities for maintenance of cleanliness of the dwelling and the person; and 5) concordance with prevailing social standards of the local community.²⁶ According to the APHA's Committee on the Hygiene of Housing, repeated studies have shown that lack of space and quiet due to crowding can lead to poor school performance in children.²⁷

Overcrowding may also negatively affect another fundamental need: protection against disease. Adequate living and sleeping space is important in protecting against contagion. An article on poverty in south Fresno describes the link between overcrowded households, transmission of disease and the lack of adequate medical care for south Fresno residents that contribute to the problems of disease transmission. According to the Executive Director of the Sequoia Community Health Foundation, which has six clinics in south Fresno, infections are passed from person to person quickly in crowded homes.²⁸ Overcrowding [excessive crowding] in homes has the potential to increase not only communicable disease transmission, but also the stress level of occupants because modern urban individuals spend considerably more time indoors than did their 1940s counterparts when the first housing census was conducted.²⁹

The stressors associated with overcrowding and housing affordability also contribute to health problems of residents. An article published in the American Journal of Preventative Medicine states:

"Today, housing quality and overcrowding problems are less severe than in the past, but they have not vanished and they have been joined by another significant housing challenge: affordability. A sizable share of the households in these troubled neighborhoods pays more than half of their incomes for rent. Given restricted incomes and the paucity of housing subsidies, these households are living on the edge. Any illness or family disruption that causes them to lose their income stream even temporarily can lead quickly to eviction.... It has been shown that *stress* brought about by living in crime-ridden areas can undermine health and that the impact gets more serious the longer one is exposed. It is not unreasonable to assume that prolonged stress brought about by recurrent fear of homelessness works the same way."³⁰

These data indicate that the Project Area has a significant number of overcrowded housing units and that overcrowding is continuing to become a more severe problem. The high levels of overcrowding coupled with the deteriorated condition of many of the housing units as described

²⁶ The nine fundamental physiological needs are listed on pages 2-1 and the seven fundamental psychological needs for healthy housing are listed on pages 2-3 of the Healthy Housing Manual.

²⁷ *Healthy Housing Manual* (Washington, D.C.: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, 2006), pages 2-3.

²⁸ Matt Leedy, "Poverty in Fresno," *The Fresno Bee*, 16 October 2005.

²⁹ *Healthy Housing Manual*, pages 2-5.

³⁰ G. Thomas Kingsley, MCP, "Housing, Health, and the Neighborhood Context," *American Journal of Preventive Medicine* 2003, Vol. 24, No. 3S, pages 6-7.

herein and shown on Table 11 and high levels of code complaints (shown on Table 12), indicate that there are unsafe, unhealthy and overcrowded living conditions throughout the Project Area.

4. A High Crime Rate That Constitutes a Serious Threat to the Public Health and Safety

To assess crime levels in the Project Area, crime statistics were obtained from the Fresno Police Department ("FPD") for the City for the eleven-year period of 1998 through 2008, and for the Project Area from 1998 through 2007. For analysis of the most recent conditions, data for the Southwest Division (which includes the Project Area) was also analyzed and compare to Citywide crime statistics for the period 2005 through 2008.

At the time of the merger, the 1998 Report included an analysis of the per-capita crime rates for the census tracts that overlay the Project Area and the City overall for a one-year period of November 1995 through October 1996. Results indicated that overall, the crime rate per 1,000 persons was thirty-four percent higher in the Project Area census tracts (twenty-six-point-seventy-six vs. nineteen-point-ninety-nine Citywide).

To assess crime levels in the Project Area from 1998 through 2007, the crime rates per 1,000 persons were calculated for the City and for the Project Area. As shown in Table 23, violent crime rates (homicide, rape, robbery and aggravated assault) per 1,000 persons were considerably higher in the Project Area. With the exception of larceny, property crime rates were also higher, though to a lesser degree.

Table 23: Comparison of Crime Rates (1998 – 2007)

	Project Area	City
Homicide	4.21	0.96
Rape	6.92	3.69
Robbery	59.49	30.24
Aggravated Assault	93.14	48.97
Total Violent Crime	163.76	83.86
Burglary	161.44	103.07
Larceny	343.88	388.69
Motor Vehicle Theft	135.78	129.65
Total Property Crime	641.09	621.40

Source: Fresno Police Department

In addition, crime data for the Southwest Area was compared to crime data for the City as a whole for the period 2005 through 2008. As shown in Table 24, while the Southwest Division

includes only twelve percent of the City's population, it accounts for higher proportions of violent and property crimes. The Southwest Area accounted for one-third of the City's homicides, twenty-two percent of the City's rapes and robberies, twenty-four percent of the City's aggravated assaults from 2005 through 2008.

Table 24: Part I Crime Statistics 2005 - 2008

	City of Fresno	Southwest Area	2005 - 2008 SW Area as % of Total City
Violent Crime Offenses			
Willful Homicide	192	64	33%
Forcible Rape	461	103	22%
Robbery	4,645	1,014	22%
Agg. Assaults	7,949	1,911	24%
	13,247	3,092	23%
Property Crime Offenses			
Burglary	16,606	2,383	14%
Larceny/Theft	57,340	7,635	13%
Motor Vehicle Theft	18,032	2,863	16%
Arson	954	200	21%
	92,932	13,081	14%
Negligent Manslaughter	-	-	
Total Part I Crimes	106,179	16,173	15%
Population (2008)	481,035	58,273	12%

Source: Fresno Police Department website, 4 May 2010.

Southwest Area population estimate from Claritas.

One of the key contributors to the high level of crime in the Project Area is the presence of numerous street gangs in the area. In 2007, the FPD announced a major effort to target and eliminate gangs in southwest Fresno. A map, published as part of the gang eradication effort, identified thirteen specific gang turfs, eight of which were completely within the Project Area, one of which included a portion of the Project Area and four of which were adjacent to the Project Area.³¹ The map is reproduced as Figure 18. Three gangs in particular (the Dog Pound, Villa Posse and Strother Boys) were identified as comprising "250 of the most violent and dangerous criminals in Fresno involving themselves in crimes such as murder, business and residential robberies, as well as frequent drive by shootings." Referred to as the West Fresno Tactical Team, the FPD effort was formulated after twenty people were shot and wounded in Southwest Fresno within two months in the summer of 2007. By April of 2008,

³¹ Mike Rhodes, "War on Westside Gangs," *Indybay* (San Francisco Bay Area Independent Median Center) website, 29 August 2007. Retrieved January 16, 2009 at: <http://www.indybay.org/newsitems/2007/08/29/18444759.php>.

police had made almost 800 felony arrests of gang members, and seized about seventy weapons, including twenty-two semiautomatic and automatic rifles and handguns.

Police have also installed video cameras at high crime locations in the City, many of which are in the Project Area. For example, video cameras were installed in 2008 on Fresno Street between B and C Streets and on Jensen Avenue near Elm Avenue (in the Project Area) and Cherry.³² Police described the Fresno Avenue location as being “inundated with violent crime and shootings.”

A Multi-Agency Gang Enforcement Consortium (“MAGEC”) team was formed jointly by the City and Fresno County. The MAGEC team is comprised of officers from the FPD, the Fresno County Sheriff’s Department, the District Attorney’s Office, and the Fresno County Probation Department.

In 2008, the Fresno County Superior Court issued a permanent injunction that established a “Safety Zone” in Southwest Fresno that targeted the Dog Pound Gangsters and which prohibited gang members from congregating or engaging in specific activities such as carrying/utilizing guns or dangerous weapons; using or selling drugs; trespassing; or forcibly recruiting members or preventing members from leaving the gang. The Safety Zone includes an area that extends 100 feet beyond the boundary streets of Jensen Avenue to the north, Elm Avenue to the east, Annadale Avenue to the south, and Martin Luther King, Jr. Boulevard to the west (see Figure 18). This Safety Zone includes the portion of the Project Area along Elm Avenue roughly between Jensen Avenue and Annadale Avenue.

The high crime rates and high levels of gang activity constitute a serious threat to the public safety and welfare.

E. SUMMARY OF SIGNIFICANT REMAINING BLIGHTING CONDITIONS

The Project Area suffers from a long history of disinvestment and neglect. This condition is evidenced by the high number of vacant and underutilized parcels (seventeen percent). The Project Area is also affected by a high number of parcels with indicators of disinvestment and neglect such as excessive litter and debris, dumping, graffiti, weeds, abandoned cars, exposed dirt and homeless encampments. These conditions affect thirty-two percent of the parcels in the Project Area.

Despite efforts by both the private sector and the public sector, including Agency efforts, significant blight remains throughout the Project Area. These remaining blighting conditions include:

1. Buildings in which it is unsafe and unhealthy for persons to live or work, as evidenced by the presence of deteriorated and dilapidated buildings (nineteen percent of Project Area

³² Paula Lloyd, “Police set on dismantling gangs,” *The Fresno Bee*, 2 April 2008.

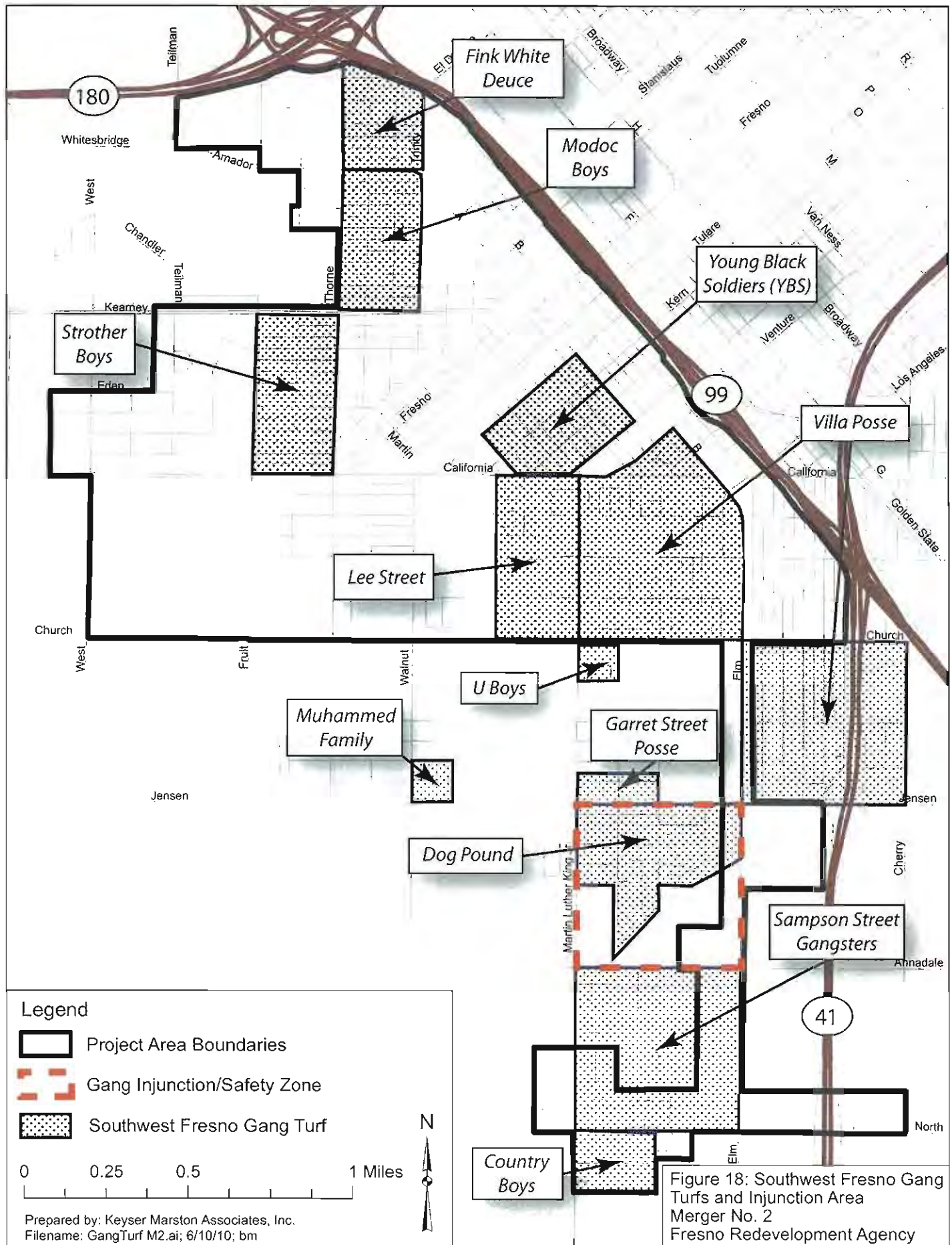


Figure 18: Southwest Fresno Gang Turfs and Injunction Area
 Merger No. 2
 Fresno Redevelopment Agency

buildings) and a disproportionate share of serious code violations (ten percent of unsafe building complaints and six percent of all serious code complaints vs. four percent of the City's population).

2. Conditions that prevent or substantially hinder the viable use or capacity of buildings or lots, as evidenced by substandard construction, obsolete buildings, and buildings constructed of unreinforced masonry. Combined, these conditions affect three percent of the parcels in the Project Area.
3. Incompatible adjacent uses that have prevented the development of portions of the Project Area. There are an estimated 8,435 residents, six recreational facilities, and five schools within a one-mile radius of the intersection of Fruit Avenue and Florence Avenue that are affected by the presence of animal processing facilities that generate odors and other impacts on the surrounding residents, businesses and properties. These conditions have contributed to the significant number of vacant lots in the area.
4. Depreciated and stagnant property values, as evidenced by low median home sales prices (thirty-six percent of the Citywide median and thirty-three percent of the Countywide median) and high levels of home foreclosures (thirteen percent vs. nine percent in the balance of the City). The Project Area also remains at high risk of continuing foreclosures, as evidenced by relatively low household income levels and a relatively high share of high costs mortgages (fifty-four percent vs. twenty-three percent for the balance of the City).
5. A serious lack of necessary commercial facilities that are normally found in neighborhoods, as evidenced by a serious lack of supermarkets, drug stores and financial institutions. The Project Area has only one supermarket, a Food Maxx located in the Kearney Palms Shopping Center. This shopping center was completed with Agency assistance in 2000. Thus, the Project Area has approximately 16,900 persons per supermarket vs. 11,100 persons per supermarket in the City as a whole. The Project Area has only two drug stores and almost twice as many persons per drug store as the City as a whole. There are no financial institutions within the Project Area.
6. Serious residential overcrowding that has resulted in significant public health and safety problems, as evidenced by the high proportion of overcrowded housing units and a high number of census block groups with high population densities. Twenty-nine percent of housing units in the Project Area have either overcrowding (more than one person per room) or severe overcrowding (more than one-point-five persons per room) vs. only seventeen percent in the City and the County. Seven of the census block groups, which include eighty-one percent of the Project Area population, have population densities that are at least fifty percent high than the Citywide average population density.

7. High crime rates that constitute a serious threat to the public safety and welfare, as evidenced by high rates of serious crime and high levels of gang activity. The crime rates in the Project Area were from twice to almost four times the rates for the City between 1998 and 2006. For example, the homicide rate in the Project Area (four-point-twenty-one per 1,000) was more than four times the rate for the City (zero-point-ninety-six per 1,000). The Southwest Division accounted for a third of the homicides in the City while only accounting for twelve percent of the population from 2005 through 2008.

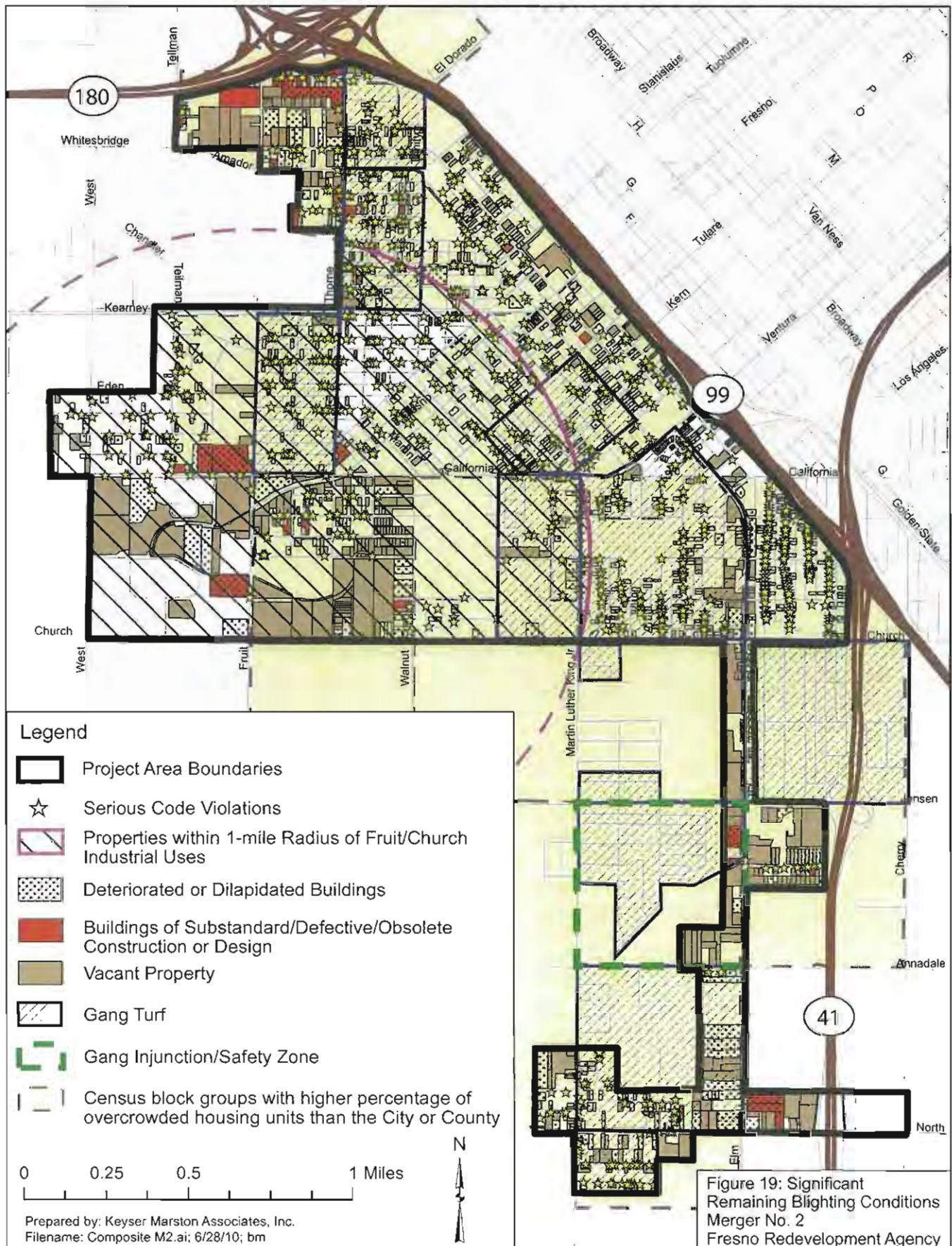
These significant and remaining blighting conditions are substantial and some are prevalent in various parts of the Project Area. These significant remaining blighting conditions are illustrated in Figure 19.

F. PORTIONS OF THE PROJECT AREA THAT ARE NO LONGER BLIGHTED

Despite the remaining prevalence of both physical and economic blighting conditions in much of the Project Area, there has been investment and redevelopment, both by the private sector on its own, and by the public and private sectors working together. The Agency has been involved in a major portion of the public/private efforts and has successfully completed a number of projects. This has resulted in properties that are in sound condition. Many of the commercial properties, such as the Kearney Palms Shopping Center, and the properties that house community-oriented services, such as the Sequoia Community Health facilities and the Fresno County EOC Youth Center, provide essential goods and services to the residents in the Project Area. There have been several housing projects, including new construction and rehabilitation of single-family units and apartments that provide safe and decent housing. The properties that the Agency believes to be not blighted or no longer blighted include the following:

1. Bigby Villa 180-unit apartment complex
2. Casa San Miguel 44-unit housing development
3. Fresno County EOC Youth Center
4. Kearney Palms Shopping Center (excluding the Agency-owned parking lot)
5. Martin Luther King Square apartments
6. Westgate Garden apartments
7. Sierra Point
8. Summer Hill Place
9. Lincoln Preschool
10. Yosemite Village residential rehab and new construction
11. Church at 1422 West California Avenue
12. Church at 1825 South Delno Avenue

During the field survey and analysis of conditions in the Project Area, there were many residences that were identified as being in "good" condition. However, these residences are scattered throughout the Project Area amongst properties that were deteriorated or dilapidated, or that had other conditions that contribute to the blighting conditions prevalent in the area.



Because these properties are scattered throughout the Project Area, and the fact that there are some blighting conditions, such as the high crime rates and residential overcrowding that affect the area as a whole and not just specific properties, these properties are within areas that are considered blighted even though they may be considered to be in good condition physically at the present time. Thus, there are no residential neighborhoods that have been identified and not blighted per se.

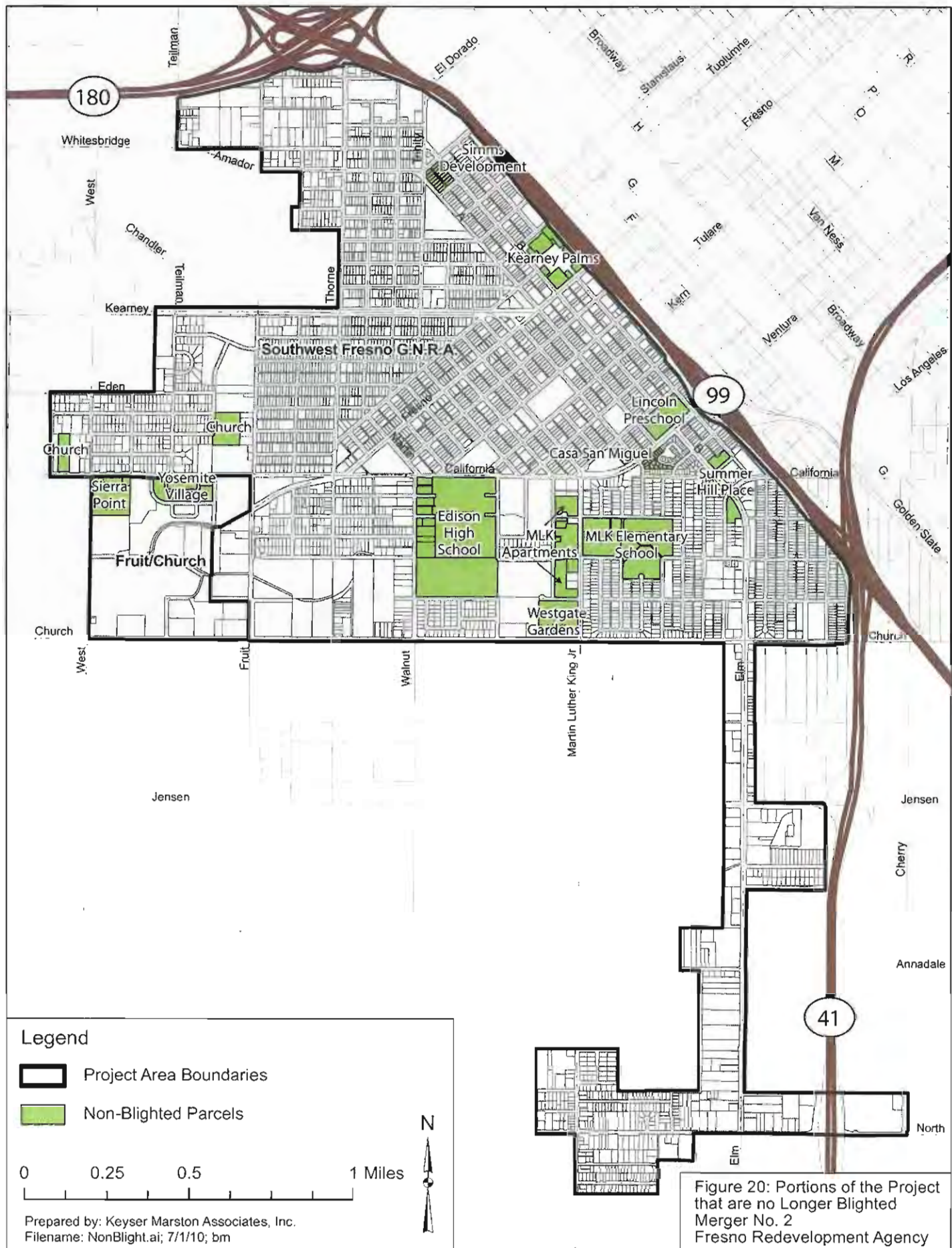
G. PORTIONS OF THE PROJECT AREA THAT ARE BLIGHTED

As described herein, there are blighting conditions that exist in the Project Area that are pervasive and that persist on an area-wide basis. In particular, the problems and impacts to the Project Area due to the lack of necessary commercial facilities, the high crime rates and residential overcrowding affect the Project as a whole and not merely specific properties within the Project Area. For example, the high crime rates and high levels of gang activity affect entire neighborhoods. The properties in the residential neighborhoods exhibit a mix of physical conditions ranging from properties in good condition to deteriorated and dilapidated properties intermixed with one another. As a result of these two conditions, i.e., the prevalence of certain conditions and the intermixing of physical conditions, there are no portions of the Project Area that do not exhibit blighting conditions on a neighborhood-wide basis even though there are specific properties that may be in good condition.

To determine if there were areas or neighborhoods that could be identified as no longer blighted, the information and analyses completed herein were used as follows:

- The areas affected by pervasive and area-wide blighting conditions were identified on a map of the Project Area. In this case, three area-wide indicators were mapped:
 - To identify overcrowded neighborhoods, the portions of the Project Area within:
1) the census block groups where the percentage of housing units that were overcrowded exceeded the Citywide average; and 2) the census block groups where household densities exceeded the Citywide average by at least ten percent were mapped.
 - To identify neighborhoods most affected by high crime rates, the portions of the Project Area within identified gang territories were mapped.
 - To identify portions of the Project Area when incompatible adjacent uses persist, a one-mile radius around the intersection of Fruit Avenue and Church Road was drawn and the heavy industrial and sensitive uses (residences and schools) identified.
- Furthermore, the numerous vacant lots, vacant buildings, deteriorated and dilapidated buildings and serious code complaints were mapped.

Results of these analyses indicate that there were no portions of the Project Area that are not blighted. There are specific properties within the blighted Project Area that may be considered no longer blighted (shown on Figure 20). However, these properties are isolated and surrounded by blighted areas.



V. AGENCY PROJECTS AND PROGRAMS AND HOW THESE PROJECTS AND PROGRAMS WILL ALLEVIATE BLIGHTING CONDITIONS

A. AGENCY PROJECTS AND PROGRAMS

The Agency has and will continue to play a key role in the alleviation of blighting conditions in the Project Area. The Agency's role is to encourage new development, aid existing businesses, work with other governmental agencies to alleviate blight, upgrade the physical environment, and remove major impediments to development and blight alleviation that the private sector has not been able to remove on its own. The following program of activities has been and will continue to be implemented on a Project Area-wide basis. Specific projects within these programs will be determined based upon priorities established through Agency planning and budgeting and as funds become available.

1. Public Improvements

The Agency's public improvement program is intended to upgrade aging public infrastructure systems and implement streetscape and beautification projects. Such programs and projects include:

- Street improvements, including repair, construction and re-construction of curbs, gutters, sidewalks, street paving, landscaping and irrigation systems, traffic improvements (such as turning lanes, street widening, and street medians), street and alley abandonment, and construction of street extensions.
- Sewer, water, and storm drain system improvements.
- Traffic signal and safety lighting improvements associated with Redevelopment Plan implementation.
- Utility undergrounding, installation and relocation.
- Parking lots and parking structure improvements to support implementation of the Redevelopment Plan.
- Open space, recreation and park improvements.
- Coordination, planning and assistance on public building improvements related to the construction, planning and design, and upgrading of new or existing improvements. Such activities would generally include site work, building construction, parking improvements and landscaping.

2. Historic Preservation

This program provides incentives for the restoration, rehabilitation, adaptive re-use, and/or relocation of historically and architecturally significant structures and properties to ensure orderly and compatible development while maintaining their continued viability as a cultural resource to the community. This may involve rehabilitation loans and grants or other forms of Agency assistance.

3. Land Assembly

The intent of the land assembly program is to create sites large enough for modern development to contemporary standards, create expansion opportunities for existing businesses, create opportunities for consolidation and/or expansion of governmental facilities, and create opportunities for the development of mixed-use/residential projects where appropriate. The Agency may acquire properties, including vacant and improved properties, by negotiated purchase, eminent domain (where allowed), or by other methods allowed and as appropriate for land assembly. Land acquisition is not anticipated in circumstances where the property owners are able to participate in the redevelopment process. The Agency will provide relocation assistance in accordance with the law for displaced businesses. The land assembly program may also include site clearance and preparation. Underutilized streets and alleys may also be vacated to assemble sites for redevelopment.

4. Business Revitalization and Attraction

The Agency will provide incentives to encourage businesses to remain in the Project Area, to expand from current facilities, or to encourage new business establishments to locate within the Project Area. Incentives could include development fee reductions, installation of support services, marketing, and financial assistance to for start-up businesses. The program also includes the Agency's storefront improvement program and could include a commercial rehabilitation loan program, which encourages property owners, and businesses to renovate existing buildings rehabilitate exterior building facades.

5. Discretionary Programs

When funding is available, the Agency will assist other efforts that will contribute to the alleviation of blighting conditions in the Project Area such as owner participation, business expansion assistance, revitalization, business attraction, and marketing to the extent permitted by law.

6. Housing Programs

The Agency has two primary housing programs to serve the goals and policies of the Redevelopment Plan. These programs are: 1) the Community Housing Partnership Program

with the Housing Authorities of the City and Counties of Fresno, which focuses on minor and major rehabilitation of owner occupied housing, the construction of new infill ownership housing, and the acquisition and major rehabilitation of boarded up and distressed single-family homes; and 2) the assemblage of real property assets for the development of housing, and the provision of gap financing for the new construction of housing and the rehabilitation of existing single-family and multiple-family housing.

B. HOW THE PROJECTS AND PROGRAMS WILL ELIMINATE REMAINING BLIGHT

1. Public Improvements

The primary focus of the Agency's efforts to support the rehabilitation of existing and installation of new public improvements will be to help offset the cost or to install such improvements where the costs exceed cost levels that would normally be borne by the private sector. The construction of such public improvements will support investments in the private sector in the reuse of vacant, deteriorated, obsolete and unsafe buildings, the effective utilization of vacant lots, and the rehabilitation of existing and construction of new housing to alleviate overcrowding in the Project Area. Such investments, in turn, will support and increase property values and create jobs, which will in turn, reduce crime and encourage the development of supermarkets and other essential commercial services for the community.

2. Historic Preservation

The historic preservation program will enable the Agency to encourage the effective reuse of existing buildings and the preservation of the City's historic architectural resources. The program will help alleviate the problem of vacant and/or abandoned buildings, especially those that may become unsafe due to deterioration, structural failure or vandalism.

3. Land Assembly

The land assembly program will enable the Agency to acquire and consolidate parcels, especially vacant and underutilized buildings and lots for development. Rehabilitation of existing buildings and the development of new commercial and residential uses will help reduce the number of unsafe and unhealthy buildings, the number of obsolete and substandard buildings, and the number of vacant lots. Such rehabilitation and new development will increase property values, support higher lease rates, and reduce the number of vacant and abandoned buildings in the Project Area. It will also provide locations for new commercial businesses to provide goods and services to the community and create opportunities for the rehabilitation of existing and development of new housing at all income levels, including housing affordable to persons and families of low and moderate incomes.

4. Business Revitalization and Attraction

Supporting the expansion of existing businesses and the attraction of new businesses will encourage the revitalization of existing buildings, and development of new facilities to create jobs, increase property values, and remove or rehabilitate unsafe buildings (such as unreinforced masonry, obsolete and abandoned buildings) and develop new buildings on vacant lots. Such development will increase property values and lease rates, and encourage the development of necessary commercial facilities to serve residents and businesses.

5. Discretionary Programs

From time to time, as opportunities arise for the Agency to participate in discretionary programs that will support the goals of the Redevelopment Plan, the Agency will be able to target programs and funds for alleviating blight through supporting existing businesses and recruiting new businesses in the Project Area. Discretionary programs will also allow the Agency to assist in the development of new facilities and the revitalization of existing properties. These efforts will support the creation of jobs and diversification of the local economy to reduce crime and support the installation of public improvements and the reuse of existing buildings properties.

6. Housing Programs

The housing programs allow the Agency, in collaboration with the Community Housing Partnership Program with the Housing Authorities of the City and Counties of Fresno to provide funds for the acquisition of blighted properties in addition to the rehabilitation and preservation of existing housing units, and the production of new low and moderate income housing. The Agency works cooperatively with property owners and developers to provide opportunities to remove blight and increase the number of affordable housing units in the Project Area.

(Continued on the following page)

Table 25: Blighting Conditions and the Projects and Programs to Alleviate Blight

Blighting Condition	Agency Programs					
	Public Improve-ments	Historic Preservation	Land Assembly	Business Revitalization and Attraction	Discretionary Programs	Housing Programs
Buildings in which it is unsafe or unhealthy for persons to live or work.		X	X	X	X	X
Conditions that prevent or substantially hinder the viable use or capacity of buildings or lots... given the present general plan, zoning, or other development standards.	X	X	X	X	X	X
Depreciated or stagnant property values.	X	X	X	X	X	X
A serious lack of necessary commercial facilities that are normally found in neighborhoods.	X	X	X	X	X	
Serious residential overcrowding		X	X		X	X
A high crime rate	X			X	X	

C. WHY THE PROJECTS AND PROGRAMS CANNOT BE COMPLETED WITHOUT EXTENDING THE TIME LIMITS ON THE EFFECTIVENESS OF THE PLAN AND RECEIPT OF TAX INCREMENT REVENUES

As described in Section IV of this Report, significant blight remains in the Project Area. There are a significant number of deteriorated and dilapidated buildings, substandard and obsolete buildings, overcrowded housing units, and high levels of crime. The Project Area also lacks adequate commercial facilities where residents may have access to the everyday goods and services such as banks, supermarkets and drug stores that are typically found in neighborhoods.

In addition, indicators of disinvestment and neglect are prevalent. These conditions include excessive trash, dumping and junk storage and vacant lots throughout the Project Area.

The City and the Agency, and the private sector acting with and without Agency assistance, have been able to redevelop many blighted properties in the Project Area. For example, the Agency, working with the private sector, was able to redevelop twelve acres at the intersection

of Fresno and B Streets into the Kearney Palms Shopping Center and bring much needed retail goods and services, including the Project Area's only supermarket and one of the only two drug stores, into the neighborhood. Without Agency participation, this project would not have been possible. Likewise, the Agency has participated in or provided funding in a number housing rehab and new development, and has provided many public infrastructure improvements to make the area more attractive to development and improve conditions for residents. Without Agency participation in the form of land assembly, site clearing, and various forms of financial assistance, these projects would have been very difficult if not impossible for the private sector. Of the total value of construction permits that have been issued since the beginning of 1999, there was Agency involvement, either financial or other types of participation, in projects representing at least thirty-six percent of the total construction permit value.

As described in Section IV, twenty-five percent of the parcels in the Project Area are deteriorated and dilapidated; thirteen percent of the parcels are vacant, representing twenty percent of the total acreage of the Project Area. In addition, there are abundant indicators of disinvestment and neglect that continue to affect the area, including high levels of dumping, litter and debris, and open storage. Single-family home values are significantly below values in the balance of the City and crime rates are high and account for a disproportionate share of the City's crime. These conditions discourage redevelopment of the Project Area. In addition, as described in Section III, income levels in the Project Area are relatively low, making it difficult for current residents to re-invest in their community.

The time limit for the effectiveness of the SWGNRA Redevelopment Plan is January 2012. This will allow the Agency less than two more years to complete its program for most of the Project Area, at which time the amount of tax increment revenues would decline significantly. This would severely limit the Agency's ability to operate in the Project Area. The Fruit-Church Redevelopment Plan will expire in October 2014, at which time the Agency would cease operations in the remaining Fruit-Church portion of the Project Area. The extension of the time and financial limits will allow the Agency significantly more time and resources to complete projects and programs, and greater financial flexibility in responding to redevelopment opportunities as they arise. Without the proposed time and financial limit extensions, the ability of the Agency to alleviate blight will be severely limited.

VI. PROPOSED METHOD OF FINANCING, ECONOMIC FEASIBILITY, AND REASONS FOR INCLUDING TAX INCREMENT FINANCING

Section 33451.5(c)(d) of the CRL provides that the report prepared by the Agency on the Amendments contain an assessment of the proposed method of financing the Project Area, including an assessment of economic feasibility of the Amendments and the reasons for including a provision for the division of taxes pursuant to Section 33670.

This analysis is intended to provide an assessment of the economic feasibility of the Project Area, as amended, and reasons for including tax increment financing and other financing sources in the amended redevelopment plans. Economic feasibility, for purposes of this analysis, is defined to be a comparative analysis of anticipated costs for implementation of the amended redevelopment plans to the resulting revenues projected for the Project Area.

This section contains a general discussion of the costs associated with the proposed redevelopment program of activities and an evaluation of the general financing methods that may be available to the Agency. Economic feasibility is determined through a summarized feasibility cash flow analysis for the Project Area as shown on Table 29 at the end of this section.

A. TIME LIMITATIONS

Pursuant to Section 33333.10 of the California Health and Safety Code, the effectiveness dates of qualifying redevelopment plans may be extended for up to ten additional years and the date for the collection of tax increment to repay indebtedness may be extended for up to an additional ten years. The following redevelopment plans would be amended to extend the plan effectiveness date and the tax increment receipt dates by an additional ten years, as authorized under SB 211.³³

Table 26: Summary of New Plan Effectiveness and Tax Increment Receipt Limits

	New Plan Effectiveness	New T.I. Receipt Limit
Fruit/Church	10-07-2024	10-07-2034
Southwest Fresno GNRA	01-14-2022	01-14-2032

B. ESTIMATED TOTAL PROJECT COSTS

A determination of economic feasibility requires an identification of the potential costs associated with redevelopment of the Project Area. Redevelopment could require significant participation from the Agency in activities to promote and achieve the goals and objectives of the respective redevelopment plans and to address blighting conditions. Based upon the

³³ The assumed extended time limitations include time extensions allowed by SB 1045 and SB 1096 for the redevelopment project areas because of required payments into the State Educational Revenue Augmentation Fund (ERAF).

program descriptions in Section V of this Report, for purposes of this economic feasibility analysis the assumed activities and programs of the Project Area, as amended, are as follows:

1. Public improvements
2. Historic preservation
3. Land assembly
4. Business revitalization and attraction
5. Affordable housing

The Agency also anticipates other costs associated with meeting the financial obligations for implementing an effective redevelopment program. These include continued funding for Agency staff and services, operating expenses, and repayment of potential future indebtedness of the Project Area.

The redevelopment program described in this Report outlines a set of activities that have already been implemented by the Agency for the purpose of facilitating private reinvestment in the Project Area, eliminating physical and economic blighting influences; and increasing, improving and preserving the community's supply of low and moderate income housing. Upon termination of the effectiveness dates of the respective redevelopment plans, the Agency will continue to receive tax increment to repay Project Area indebtedness until the respective tax receipt dates terminate. The estimated cost of the assumed redevelopment programs over the term of the projection is as follows:

Table 27: Estimated Redevelopment Program Costs

Affordable Housing	\$37,074,000
Debt Service (existing)	7,072,000
Administration	5,490,000
SERAF (2010-11)	264,000
Redevelopment Projects & Programs:	
Public Improvements	\$33,088,000
Historic Preservation	3,008,000
Land Assembly	15,040,000
Business Revitalization & Attraction	<u>9,024,000</u>
Subtotal Projects & Programs	\$60,160,000
Total Project Costs	\$110,060,000

As tax increment revenue sources become available to the Project Area in future fiscal years, the feasibility cash flow assumes that the Agency will exercise its discretion in the annual budgetary allocation of the available resources (net of housing set aside requirements, existing senior lien bond debt service obligations and Agency administration) to fund projects and programs that will eliminate blighting conditions in the Project Area. The discretionary projects

and programs assumed in this scenario include public improvements, historic preservation, land assembly, and business revitalization and attraction activities. The discretionary projects and programs are more fully described in Section VI of this Report. Affordable housing programs will be funded from housing set aside funds as described below.

The feasibility cash flow scenario assumed on Table 29 does not restrict the Agency to only the projects and programs shown nor, by including the same, do these cash flow projections obligate the Agency to a specific funding priority or time sequence as shown. The inclusion of such projects and programs is intended to recognize that the Agency, at its discretion, will allocate future Project Area resources as they are prioritized and determined by the Agency Board each year. To the extent the Agency elects to not fully apportion the annual net resources in a given year, the resulting funds would carry over to become available resources in the subsequent year.

1. Affordable Housing

The Agency is annually required to deposit twenty percent of gross tax increment revenues generated by the Project Area into the Low and Moderate Income Housing Fund for the purposes of increasing, improving and preserving the community's supply of low and moderate income housing available at an affordable housing cost. Under CRL Section 33333.10(g), for the redevelopment plans being amended under this plan amendment, the Agency will be required to set aside thirty percent of gross tax increment revenues commencing with the first fiscal year that commences after the date of adoption (assumed as FY 2011-12). Specific housing-related projects, programs and activities are not delineated in this feasibility cash flow, but it is assumed that as housing set aside funds become available they are used by the Agency to fund such expenditures.

2. Debt Service on Bonds and Loans

The Agency will consider all funding alternatives allowable under the CRL to finance the anticipated redevelopment projects and programs. One typical financing option is the issuance of tax allocation bonds. The Agency may utilize tax increment revenues generated in the Project Area to secure the debt service of tax allocation bonds to assist in the financing of anticipated project costs.

The feasibility cash flow only reflects existing debt service payments on current bonds and loans outstanding. These include the 2001 Tax Allocation Bonds secured by tax increment from the Southwest Fresno GNRA Project Area. For purposes of this feasibility cash flow, no additional bond financing is assumed and all future projects and programs of the Project Area will be funded on an annual pay-as-you-go basis, relying upon net tax increment revenues annually available to the Project Area.

3. Administration

The projected operating costs for administration of the redevelopment program are assumed to be equivalent to four-point-four percent of gross tax increment revenue each year. The assumed factor is based upon the FY 2009-10 administrative budget relative to the budgeted gross tax increment revenue.

4. SERAF

The California State Legislature adopted Assembly Bill 26-4x to take \$1.7-billion from local redevelopment funds in FY 2009-10 and an additional \$350-million in FY 2010-11, and shift the tax increment funds to the Supplemental Education Revenue Augmentation Fund ("SERAF") to offset State deficits to K-12 schools and community college districts. According to Agency staff estimates, the Project Area's FY 2009-10 SERAF exposure is \$1,283,000 and for FY 2010-11 the Project Area's exposure would be an additional \$264,000. An appeal filed with the Third District Court of Appeal challenging the constitutionality of AB 26-4x is pending. Future year demands from the State are not assumed in the projection.

5. Public Improvements

The public improvement program is intended to upgrade aging public infrastructure systems and implement streetscape and beautification projects anticipated upon amendment of the Project Area. The public improvement program also includes the provision of additional parking facilities, the development of open space, recreation and park improvements, and various historic preservation activities. This scenario of economic feasibility assumes that fifty-five percent of annual net tax increment revenues will be budgeted towards the funding of public improvements.

6. Historic Preservation

The historic preservation program will enable the Agency to encourage the effective re-use of existing buildings and the preservation of the City's historic architectural resources. The program will help alleviate the problem of vacant and/or abandoned buildings, especially those that may become unsafe due to deterioration, structural failure or vandalism. This program provides incentives for the restoration, rehabilitation, adaptive reuse, and/or relocation of historically and architecturally significant structures and properties to ensure orderly and compatible development while maintaining their continued viability as a cultural resource to the community. This may involve rehabilitation loans and grants or other forms of Agency assistance. This scenario assumes that 5 percent of annual net tax increment revenues will be budgeted for historic preservation.

7. Land Assembly

The purpose of this program is to assemble small underutilized and/or poorly configured parcels of property into sites suitable for modern development to contemporary standards, create expansion opportunities for existing businesses, create opportunities for consolidation and/or expansion of governmental facilities, and create opportunities for the development of mixed-use residential projects. The costs typically would include land assembly, relocation assistance, site clearance, and/or site preparation. This scenario of economic feasibility assumes that twenty-five percent of annual net tax increment revenues will be budgeted towards the funding of land assembly costs.

8. Business Revitalization and Attraction

The purpose of this program is to allow the Agency to provide incentives to encourage existing businesses to remain in the Project Area, to expand from current facilities, and encourage new businesses to locate in the Project Area. The program would also include funding for the storefront improvement program and potentially could include commercial rehabilitation loans. This scenario of economic feasibility assumes that fifteen percent of annual net tax increment revenues will be budgeted towards the funding of business revitalization and attraction costs.

C. FINANCING METHODS AVAILABLE TO THE AGENCY

The Plan is prepared with the intent of providing the Agency with the necessary legal authority and flexibility to continue to implement the revitalization of the Project Area. The Plan authorizes the Agency to finance the Project Area with financial assistance from any or all of the following sources: (1) City; (2) State of California; (3) federal government; (4) tax increment funds in accordance with provisions of the existing CRL; (5) Agency bonds; (6) interest income; (7) loans from private financial institutions; (8) lease or sale of Agency-owned property; (9) donations; and (10) any other legally available public or private sources.

Assumed revenue sources to fund project costs, as discussed and assumed in this feasibility cash flow, include, but are not limited to, the following: (1) tax increment revenues; (2) existing miscellaneous revenues; and (3) interest earnings. The estimated resources available to finance the proposed redevelopment programs are summarized as follows:

Table 28: Financing Resources Available for Redevelopment in the Project Area

Net Tax Increment (net of pass throughs)	\$67,073,000
Housing Set Aside	37,074,000
Other Revenue Sources	5,728,000
Interest Earnings	207,000
Total Aggregate Resources	\$110,082,000

Current provisions of the CRL provide authority to the Agency to create indebtedness, issue bonds, borrow funds or obtain advances in implementing and carrying out the specific intents of a Redevelopment Plan. The Agency is authorized to fund the principal and interest on the indebtedness, bond issues, borrowed funds or advances from tax increment revenue and any other funds available to the Agency. To the extent that it is able to do so, the City may also supply additional assistance through City loans or grants for various public facilities or other project costs. Although other funding sources such as these may be available to the Agency, the feasibility cash flow on Table 29 only reflects the following funding sources:

1. Tax Increment Revenues

A summary of the projection of the incremental taxable values and resulting tax increment revenues for the Project Area is shown on Table 30. The gross total tax increment revenues for the Project Area over the term during which the Agency could receive tax increment from the respective project areas is projected to amount to \$124,781,000, of which \$2,496,000 would be charged by the County to recover administrative overhead (per SB 2557); \$37,074,000 would be required for deposit into the Housing Fund; and \$18,138,000 would be allocated to affected taxing entities under an existing tax sharing agreement and statutory pass through payments triggered under CRL Sections 33607.5 and 33607.7. The net non-housing tax increment revenues available to the Agency over the term of the projection total \$67,073,000.

Without the Redevelopment Plan Amendment, the tax increment revenues of the Project Area would significantly decline once the respective Redevelopment Plan time limitations are reached. The cumulative tax increment revenue cap imposed on the Project Areas would affect the Agency's ability to receive the full benefit of tax increment revenue over the remaining term of the projection after the amendment. Once the cumulative tax increment limits have been reached, the Agency forfeits excess tax increment revenues. For example, by simply applying the Proposition 13 two percent inflation factor to future values the resulting tax increment revenue would reach the revenue limits in the Fruit/Church Project by FY 2030-31 and in the Southwest Fresno GNRA by FY 2026-27. Between FY 1999-2000 and FY 2009-10, the assessed values in the Project Area experienced an annual increase of eight-point-five percent. Therefore, to the extent that future Project Area values continue to increase beyond the allowable two percent Proposition 13 factor, the revenue limits will be reached even earlier than noted above.

The following assumptions were incorporated in the Project Area tax increment revenue projections shown on Table 31 (Fruit/Church) and Table 32 (Southwest Fresno GNRA):

- a) Current FY 2009-10 assessed values, as reported by the Fresno County Auditor-Controller, provide the basis from which future year tax increment is determined.
- b) Future real property (land and improvement) values annually increase as a result of an assumed annual four percent inflation factor (reflecting assumed Proposition 13 growth

and an increase for miscellaneous transfer of ownership or new construction activities). Specific new developments were not identified for inclusion in the projections.

- c) Tax rates for Fruit/Church and Southwest Fresno GNRA of one-point-zero-five percent and one-point-zero-seven percent, respectively, were used for the computation of gross tax increment revenue, based upon tax override information provided by the County Auditor-Controller. In addition, a County administrative charge allowed under SB 2557 (equal to two percent of gross tax increment) has been debited each year.
- d) A tax sharing agreement with the County Library District was entered into by the Agency in August 1986. The Library District receives its full share of annual tax increment revenues from the Project Area.
- e) Statutory pass through allocations pursuant to CRL Sections 33607.5 and 33607.7 are shown for the Project Area. The allocations are made to all affected taxing agencies other than the County Library District (which has a tax sharing agreement) and the City of Fresno (which is assumed to allow the Agency to use its allocation).
- f) For FY 2010-11, the housing set aside of twenty percent of annual tax increment is reflected pursuant to the provisions of H&S Code Section 33334.2. Commencing in FY 2011-12 and upon approval of the Amendments, the Agency would be required to set aside thirty percent of annual tax increment for the Project Area.

2. Housing Set Aside

As stated previously, the Agency is annually required to deposit a portion of the gross tax increment revenues into the Low and Moderate Income Housing Fund for the purposes of increasing, improving and preserving the community's supply of low and moderate income housing available at an affordable housing cost. The housing set aside is available at the Agency's discretion for allocation to various housing-related projects, programs and activities not incorporated in the Table 29 feasibility cash flow projection.

3. Other Revenue

The Agency has budgeted receipt of other revenues to help fund ongoing redevelopment programs. The other identified revenues reflect budgeted rental income and loan proceeds.

4. Interest Income

The Agency may receive interest earnings generated from funds on deposit in the bond reserve funds, project operating funds and other special funds established for the Project Area. Interest earnings are based upon an assumed three percent rate on debt reserve funds.

D. PROPOSED FINANCING METHOD, ECONOMIC FEASIBILITY, AND REASONS FOR INCLUDING TAX INCREMENT FINANCING

The anticipated costs to implement a program of revitalization in the Project Area will require significant participation from the Agency as it implements activities that promote and achieve the stated goals and objectives of the redevelopment plan. Economic feasibility of the redevelopment plans has been determined based upon a comparative cash flow analysis of the anticipated costs for implementation of the proposed redevelopment program to the resulting projected resources projected over the term of the Project Area feasibility cash flow.

The economic feasibility summarized on Table 29 was created to represent one scenario of economic feasibility. At the discretion of the Agency, other funding sources discussed above may also represent viable funding alternatives for economic feasibility of the amended Redevelopment Plans. Although the Agency may consider other funding sources permitted in the Redevelopment Plans, not all of the funding sources may be available or be feasible for the Agency to use in financing the anticipated costs and revenue shortfalls. In the event that neither the City nor the private market acting alone could fully bear the costs associated with revitalization of the Project Area, the implementation of a redevelopment program utilizing tax increment revenues must be considered as a viable financing tool.

The cash flow projection reflects assumptions based on KMA's understanding of the assessment and tax apportionment procedures employed by the County. The County procedures are subject to change as a reflection of policy revisions or administrative, regulatory or legislative mandate. Assumptions have also been made that legislatively-mandated SERAF payments to the State will not be required in future fiscal years. These assumptions are based on existing State policies and are subject to future regulatory or legislative changes.

No assurances are provided by KMA as to the certainty of the projected tax increment revenues shown in this Section. Actual revenues may be higher or lower than what has been projected and are subject to valuation changes resulting from new developments or transfers of ownership not specifically identified herein, actual resolution of outstanding appeals, future filing of appeals, changes in assessor valuation standards, or the non-payment of taxes due. A reasonable attempt has been made to forecast the redevelopment projects, programs and activities that could be undertaken in the Project Area. However, actual funding will be based upon actual revenues available to the Agency in future fiscal years. Therefore, the expenditure program reflected on Table 29 is presented as an "order of magnitude" estimate based upon the forecasted tax increment revenues.

Based upon the assumptions incorporated in the cash-flow scenario shown on Table 29 the Redevelopment Plan, as amended under this scenario, is deemed to be economically sound and feasible as future Project Area expenditures are fully funded by future Project Area resources.

Table 29

SB211 Extension

Feasibility Cash Flow - Project Fund
 Merger 2 - Combined Projects
 Fresno Redevelopment Agency
 (000's Omitted)

	1	2	3	4	5	6	7	8	9	10	11	12	Fruit Church Plan Terminates			
	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	
I. Revenue:																
Gross Tax Increment Revenue	3,607	3,764	3,928	4,097	4,274	4,457	4,648	4,846	5,052	5,266	5,489	5,721	5,962	6,212	6,473	
Less Housing Set Aside	(721)	(1,129)	(1,178)	(1,229)	(1,282)	(1,337)	(1,394)	(1,454)	(1,516)	(1,580)	(1,647)	(1,716)	(1,789)	(1,864)	(1,942)	
Less Tax Sharing & Co Admin Charges	(353)	(379)	(407)	(437)	(468)	(500)	(533)	(568)	(607)	(647)	(690)	(737)	(785)	(833)	(881)	
Other Revenue	382	382	382	382	382	382	382	382	382	382	382	382	382	382	382	
Bond Reserve Earnings at 3%	26	26	26	26	26	26	26	26	0	0	0	0	0	0	0	
Total Revenue	2,940	2,664	2,750	2,839	2,911	2,987	3,068	3,151	3,211	3,300	3,394	3,491	3,593	3,697	3,807	
II. Expenditures:																
Existing Debt Service	884	884	884	884	884	884	884	884	0	0	0	0	0	0	0	
Administration (4.4% of T.I.)	159	166	173	180	188	196	204	213	222	232	242	252	262	273	285	
SERAF	264	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Total Expenditures	1,307	1,050	1,057	1,064	1,072	1,080	1,088	1,097	222	232	242	252	262	273	285	
III. Available for Future Redevelopment Programs	1,633	1,614	1,693	1,774	1,838	1,906	1,979	2,053	2,988	3,068	3,152	3,239	3,330	3,423	3,522	
IV. Future Redevelopment Program Allocations:																
Public Improvements at 55%	898	888	931	976	1,011	1,048	1,088	1,129	1,643	1,687	1,734	1,781	1,832	1,883	1,937	
Historic Preservation at 5%	82	81	85	89	92	95	99	103	149	153	158	162	167	171	176	
Land Assembly at 25%	408	404	423	444	460	477	495	513	747	767	788	810	833	856	881	
Business Revitalization & Attraction at 15%	245	242	254	266	276	286	297	308	448	460	473	486	500	513	528	
Total Future Redevelopment Allocations	1,633	1,614	1,693	1,774	1,838	1,906	1,979	2,053	2,988	3,068	3,152	3,239	3,330	3,423	3,522	
V. Housing Fund Expenditures	721	1,129	1,178	1,229	1,282	1,337	1,394	1,454	1,516	1,580	1,647	1,716	1,789	1,864	1,942	

Table 29

SB211 Extension

Feasibility Cash Flow - Project Fund
 Merger 2 - Combined Projects
 Fresno Redevelopment Agency
 (000's Omitted)

	16 2025-26	17 2026-27	18 2027-28	19 2028-29	20 2029-30	21 2030-31	22 2031-32	23 2032-33	24 2033-34	25 2034-35	Memo Totals
	Southwest TI Receipt										
	Fruit Church TI Receipt										
I. Revenue:											
Gross Tax Increment Revenue	6,744	7,025	7,318	7,623	7,939	8,268	3,448	1,285	1,336	0	87,708
Less Housing Set Aside	(2,023)	(2,108)	(2,195)	(2,287)	(2,382)	(2,481)	(1,034)	(385)	(401)	0	37,074
Less Tax Sharing & Co Admin Charges	(1,181)	(1,262)	(1,343)	(1,429)	(1,539)	(1,652)	(1,582)	(244)	(259)	0	(20,635)
Other Revenue	0	0	0	0	0	0	0	0	0	0	5,728
Bond Reserve Earnings at 3%	0	0	0	0	0	0	0	0	0	0	208
Total Revenue	3,539	3,655	3,779	3,907	4,018	4,135	831	655	676	0	110,082
II. Expenditures:											
Existing Debt Service	0	0	0	0	0	0	0	0	0	0	7,072
Administration (4.4% of T.I.)	297	309	322	335	349	364	152	57	59	0	5,490
SERAF	0	0	0	0	0	0	0	0	0	0	264
Total Expenditures	297	309	322	335	349	364	152	57	59	0	7,826
III. Available for Future Redevelopment Programs	3,242	3,345	3,457	3,571	3,668	3,771	679	598	617	0	
IV. Future Redevelopment Program Allocations:											
Public Improvements at 55%	1,783	1,840	1,901	1,964	2,017	2,074	373	329	339	0	33,088
Historic Preservation at 5%	162	167	173	179	183	189	34	30	31	0	3,008
Land Assembly at 25%	811	836	864	893	917	943	170	150	154	0	15,040
Business Revitalization & Attraction at 15%	486	502	519	536	550	566	102	90	93	0	9,024
Total Future Redevelopment Allocations	3,242	3,345	3,457	3,571	3,668	3,771	679	598	617	0	
V. Housing Fund Expenditures	2,023	2,108	2,195	2,287	2,382	2,481	1,034	385	401	0	37,074
											110,060
											Total Expenses

Table 30
Tax Increment Revenue Projection
Merger 2 - Combined Project Areas
Fresno Redevelopment Agency
(000's Omitted)

Fiscal Year	1 Total Increment Revenue	2 Less County Admin Fee	3 Less Housing Set Aside	4 Less Existing Pass Thru	5 Less Triggered Statutory Sharing	6 Net Tax Revenue
2010-11	3,607	(72)	(721)	(60)	(221)	2,533
2011-12	3,764	(75)	(1,129)	(62)	(241)	2,256
2012-13	3,928	(79)	(1,178)	(65)	(263)	2,343
2013-14	4,097	(82)	(1,229)	(68)	(287)	2,431
2014-15	4,274	(85)	(1,282)	(71)	(332)	2,503
2015-16	4,457	(89)	(1,337)	(74)	(377)	2,580
2016-17	4,648	(93)	(1,394)	(77)	(423)	2,660
2017-18	4,846	(97)	(1,454)	(80)	(471)	2,744
2018-19	5,052	(101)	(1,516)	(84)	(522)	2,830
2019-20	5,266	(105)	(1,580)	(87)	(575)	2,919
2020-21	5,489	(110)	(1,647)	(91)	(629)	3,013
2021-22	5,721	(114)	(1,716)	(95)	(686)	3,110
2022-23	5,962	(119)	(1,789)	(99)	(744)	3,211
2023-24	6,212	(124)	(1,864)	(103)	(806)	3,316
2024-25	6,473	(129)	(1,942)	(107)	(869)	3,425
2025-26	6,744	(135)	(2,023)	(112)	(935)	3,539
2026-27	7,025	(141)	(2,108)	(116)	(1,005)	3,656
2027-28	7,318	(146)	(2,195)	(121)	(1,076)	3,779
2028-29	7,623	(152)	(2,287)	(126)	(1,150)	3,907
2029-30	7,939	(159)	(2,382)	(131)	(1,249)	4,018
2030-31	8,268	(165)	(2,481)	(137)	(1,350)	4,136
2031-32	3,448	(69)	(1,034)	(57)	(1,456)	832
2032-33	1,285	(26)	(385)	(21)	(197)	655
2033-34	1,336	(27)	(401)	(22)	(210)	676
2034-35	0	0	0	0	0	0
TOTAL	124,781	(2,496)	(37,074)	(2,065)	(16,074)	67,073

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Table 31

Tax Increment Revenue Projection
Merger 2 - Fruit/ Church
Fresno Redevelopment Agency
(000's Omitted)

2000-2035														
Fiscal Year	(1) Projected Secured Value		(2) Projected Unsecured Value		Total Project Value	Increment Over Base \$1,819	Gross Increment Revenue	Increased Cap x 2.5 \$52,500 TI Limit Forfeiture	(3) Total Increment Revenue	County Admin Fee -2%	Housing Set Aside -30%	(4) Library Pass Thru -1.6551%	(5) Triggered Statutory Sharing	Net Tax Revenue
	Value	Value	Value	Value										
39	2010-11	50,259	3,267	53,526	51,707	543	0	543	(11)	(109)	(9)	(27)	387	
40	2011-12	52,270	3,332	55,602	53,783	565	0	565	(11)	(169)	(9)	(29)	346	
41	2012-13	54,361	3,399	57,760	55,940	587	0	587	(12)	(176)	(10)	(32)	358	
42	2013-14	56,535	3,467	60,002	58,183	611	0	611	(12)	(183)	(10)	(35)	370	
43	2014-15	58,796	3,536	62,333	60,513	635	0	635	(13)	(191)	(11)	(42)	380	
44	2015-16	61,148	3,607	64,755	62,936	661	0	661	(13)	(198)	(11)	(48)	390	
45	2016-17	63,594	3,679	67,273	65,454	687	0	687	(14)	(206)	(11)	(54)	402	
46	2017-18	66,138	3,753	69,891	68,071	715	0	715	(14)	(214)	(12)	(61)	413	
47	2018-19	68,783	3,828	72,611	70,792	743	0	743	(15)	(223)	(12)	(68)	425	
48	2019-20	71,535	3,904	75,439	73,620	773	0	773	(15)	(232)	(13)	(75)	438	
49	2020-21	74,396	3,982	78,379	76,559	804	0	804	(16)	(241)	(13)	(83)	450	
50	2021-22	77,372	4,062	81,434	79,615	836	0	836	(17)	(251)	(14)	(90)	465	
51	2022-23	80,467	4,143	84,610	82,791	869	0	869	(17)	(261)	(14)	(98)	479	
52	2023-24	83,686	4,226	87,912	86,092	904	0	904	(18)	(271)	(15)	(107)	493	
53	2024-25	87,033	4,311	91,344	89,524	940	0	940	(19)	(282)	(16)	(115)	509	
1	2025-26	90,514	4,397	94,911	93,092	977	0	977	(20)	(293)	(16)	(124)	524	
2	2026-27	94,135	4,485	98,620	96,800	1,016	0	1,016	(20)	(305)	(17)	(133)	541	
3	2027-28	97,900	4,575	102,475	100,656	1,057	0	1,057	(21)	(317)	(17)	(143)	558	
4	2028-29	101,816	4,666	106,482	104,663	1,099	0	1,099	(22)	(330)	(18)	(153)	576	
5	2029-30	105,889	4,759	110,648	108,829	1,143	0	1,143	(23)	(343)	(19)	(164)	594	
6	2030-31	110,125	4,855	114,979	113,160	1,188	0	1,188	(24)	(356)	(20)	(175)	613	
7	2031-32	114,530	4,952	119,481	117,662	1,235	0	1,235	(25)	(371)	(20)	(186)	634	
8	2032-33	119,111	5,051	124,161	122,342	1,285	0	1,285	(26)	(385)	(21)	(197)	655	
9	2033-34	123,875	5,152	129,027	127,208	1,336	0	1,336	(27)	(401)	(22)	(210)	676	
10	2034-35	128,830	5,255	134,085	132,266	0	0	0	0	0	0	0	0	

(1) Future Secured value based on the following factors: -0.237% (FY 10-11); then capped at 4%

No specific new development assumptions are reflected in the projection.

(2) Future Unsecured value based on the following factors: 0% (FY 10-11); then capped at 2%

(3) Gross Tax Increment reflects an assumed tax rate as estimated by the County Auditor-Controller.

Assumes existing TI caps are increased by the Plan Amendment.

(4) Source: Fresno Redevelopment Agency payment to Library District.

(5) AB 1290 tax sharing requirements commence the first year following the year in which one or more of the limitations would have taken effect without a plan amendment. The debt incurrence limit is 10-07-2011 (FY 2012-12 adjusted base).
Amended limits now reflect a 10-07-2011 debt incurrence limit, 10-07-2011 plan effectiveness limit and a 10-07-2021 debt repayment limit.

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Table 32

Tax Increment Revenue Projection
Merger 2 - Southwest Fresno GNRA
Fresno Redevelopment Agency
(000's Omitted)

Fiscal Year	(1) Projected Secured Value			(2) Projected Unsecured Value			Total Project Value	Increment Over Base \$32,739	Gross Increment Revenue	Increased Cap x 2 \$226,000 TI Limit Forfeiture	(3) Total Increment Revenue	County Admin Fee -2%	Housing Set Aside -30%	Library Pass Thru -1.6551%	(5) Triggered Statutory Sharing	Net Tax Revenue
	Year	Value	Value	Value	Value	Value										
42	2010-11	312,277		6,866	319,144		286,405	3,065	3,065	0	3,065	(61)	(613)	(51)	(194)	2,146
43	2011-12	324,768		7,004	331,772		299,033	3,200	3,200	0	3,200	(64)	(960)	(53)	(212)	1,911
44	2012-13	337,759		7,144	344,903		312,164	3,340	3,340	0	3,340	(67)	(1,002)	(55)	(231)	1,985
45	2013-14	351,269		7,287	358,556		325,817	3,486	3,486	0	3,486	(70)	(1,048)	(58)	(252)	2,061
46	2014-15	365,320		7,432	372,753		340,014	3,638	3,638	0	3,638	(73)	(1,091)	(60)	(290)	2,124
47	2015-16	379,933		7,581	387,514		354,775	3,796	3,796	0	3,796	(76)	(1,139)	(63)	(329)	2,190
48	2016-17	395,130		7,733	402,863		370,124	3,960	3,960	0	3,960	(79)	(1,188)	(66)	(369)	2,258
49	2017-18	410,936		7,887	418,823		386,084	4,131	4,131	0	4,131	(83)	(1,239)	(68)	(410)	2,331
50	2018-19	427,373		8,045	435,418		402,679	4,309	4,309	0	4,309	(86)	(1,293)	(71)	(454)	2,405
51	2019-20	444,468		8,206	452,674		419,935	4,493	4,493	0	4,493	(90)	(1,348)	(74)	(500)	2,481
52	2020-21	462,247		8,370	470,617		437,878	4,685	4,685	0	4,685	(94)	(1,406)	(78)	(546)	2,562
53	2021-22	480,737		8,537	489,274		456,535	4,885	4,885	0	4,885	(98)	(1,465)	(81)	(596)	2,645
1	2022-23	499,966		8,708	508,674		475,935	5,093	5,093	0	5,093	(102)	(1,528)	(84)	(646)	2,733
2	2023-24	519,965		8,882	528,847		496,108	5,308	5,308	0	5,308	(106)	(1,593)	(88)	(699)	2,823
3	2024-25	540,763		9,060	549,823		517,085	5,533	5,533	0	5,533	(111)	(1,660)	(92)	(754)	2,917
4	2025-26	562,394		9,241	571,635		538,896	5,766	5,766	0	5,766	(115)	(1,730)	(95)	(811)	3,015
5	2026-27	584,889		9,426	594,315		561,577	6,009	6,009	0	6,009	(120)	(1,803)	(99)	(872)	3,115
6	2027-28	608,285		9,615	617,900		585,161	6,261	6,261	0	6,261	(125)	(1,878)	(104)	(933)	3,221
7	2028-29	632,616		9,807	642,423		609,685	6,524	6,524	0	6,524	(130)	(1,957)	(108)	(997)	3,331
8	2029-30	657,921		10,003	667,924		635,185	6,796	6,796	0	6,796	(136)	(2,039)	(112)	(1,085)	3,424
9	2030-31	684,238		10,203	694,441		661,702	7,080	7,080	0	7,080	(142)	(2,124)	(117)	(1,175)	3,522
10	2031-32	711,607		10,407	722,015		689,276	2,213	2,213	0	2,213	(44)	(664)	(37)	(1,270)	198

(1) Future Secured value based on the following factors: -0.237% (FY 10-11); then capped at 4%

(2) No specific new development assumptions are reflected in the projection.

(3) Future Unsecured value based on the following factors: 0% (FY 10-11); then capped at 2%

(4) Gross Tax Increment reflects an assumed tax rate as estimated by the County Auditor-Controller. Assumes existing TI caps are increased by the Plan Amendment.

(5) Source: Fresno Redevelopment Agency payment to Library District.

(6) AB 1290 tax sharing requirements commence the first year following the year in which one or more of the limitations would have taken effect without a plan amendment. Debt incurrence limit is 01-14-2009 (FY 2008-09 adjusted base), a 01-14-2009 plan effectiveness limit and a 01-14-2019 debt repayment limit.

E. TAX INCREMENT REVENUE LIMITS

As stated previously, the reported Project Area assessed values from FY 1999-2000 to FY 2009-10 increased eight-point-five percent per year over the ten-year period. In determining the potential forfeiture of future tax increment revenues under the current tax increment revenue caps, KMA applied an eight percent growth factor to reported assessed values over the term of the time limits as to be extended under this Amendment. KMA prepared a series of growth iterations to determine an appropriate factor to multiply against the current revenue limits for the Fruit/Church and Southwest Fresno GNRA project areas so as to ensure that any new revenue limit would be sufficient to permit the Agency to receive projected tax increment revenues to the full term allowed under CRL. The iterations prepared by KMA resulted in the following new revenue caps:

Table 33: Existing and Proposed Tax Increment Limits

	Old T.I. Limit	Allocated as of June 30, 2009	Proposed New T.I. Limit
Fruit/Church	\$21,000,000	\$6,621,000	\$63,000,000
Southwest Fresno GNRA	113,000,000	50,814,000	339,000,000

VII. AMENDMENT TO THE AGENCY'S IMPLEMENTATION PLAN

CRL Section 33333.11(e)(7) requires the Agency to include an amendment to the implementation plan for the Project Area that includes, but is not limited to, the Agency's housing responsibilities pursuant to CRL Section 33490.

On June 7, 2005, the Agency adopted Resolution No. 1661, approving a Multi-Project Five-Year Implementation Plan for Merger No. 2. On June 7, 2010, the Implementation Plan expired. A proposed Implementation Plan has been prepared to cover the five-year time period from June 7, 2010 through June 7, 2015 (see Appendix 8 to this Preliminary Report). The Implementation Plan describes the Agency's goals and objectives for the Project Area, a summary of the specific programs and estimated expenditures proposed to be made by the Agency during the five-year period of the Implementation Plan. The Implementation Plan explains, through references to corresponding information in the Preliminary Report, how the goals and objectives, projects, and expenditures will eliminate blight within the Project Area. The Agency expects to adopt the proposed Implementation Plan update in December 2010.

VIII. NEIGHBORHOOD IMPACT REPORT

CRL Section 33333.11(e)(8) requires a new neighborhood impact report if required by subdivision (m) of CRL Section 33353, i.e., if the redevelopment project contains low or moderate income housing. The neighborhood impact report must describe the impact of the project upon the residents of the Project Area and surrounding areas in terms of relocation, traffic circulation, environmental quality, availability of community facilities and services, effect on school population and quality of education, property assessments and taxes, and other matters affecting the physical and social quality of the neighborhood. The neighborhood impact report must also include the following:

- (1) The number of dwelling units housing persons and families of low or moderate income expected to be destroyed or removed from the low and moderate income housing market as part of a redevelopment project.
- (2) The number of persons and families of low or moderate income expected to be displaced by the project.
- (3) The general location of housing to be rehabilitated, developed, or constructed pursuant to CRL Section 33413.
- (4) The number of dwelling units housing persons and families of low or moderate income planned for construction or rehabilitation, other than replacement housing.
- (5) The projected means of financing the proposed dwelling units for housing persons and families of low and moderate income planned for construction or rehabilitation.
- (6) A projected timetable for meeting the plan's relocation, rehabilitation, and replacement housing objectives.

A. IMPACT ON RESIDENTS IN THE PROJECT AREA AND SURROUNDING AREAS

1. Relocation

The purposes of the proposed Amendments are to extend time and financial limits, extend the Agency's authority to utilize eminent domain as described in Section II., and to "streamline" seven of the constituent redevelopment plans to provide a process for future compatibility with any amendments to the City General Plan and Community Plans. The Project Area contains an estimated 4,335 occupied housing units. Given the relatively low levels of income and high percentage of families below the poverty level in the Project Area (as described in Section II. of this Report), it is assumed that a significant portion of these units are occupied by low or moderate income persons or families.

In the near-term, the Agency does not anticipate causing the relocation of any persons or families. However, future land assembly efforts necessary for future land assembly for new development and residential infill development, could involve the acquisition and displacement of existing housing. Any non-voluntary or voluntary displacement that occurs as a result of Agency redevelopment activities will be mitigated by adoption of relocation plans and relocation assistance including financial payments, advisory assistance, and replacement housing plan provisions of State law relating to Agency assisted developments. These provisions are further described in the Agency's Method or Plan for Relocation adopted for each of the Constituent Plans within the Project Area at the time of adoption and are incorporated herein by reference.

According to the Agency, since 1998, the Agency has relocated forty-seven households. This has included sixteen at the intersection of California and Walnut Avenues, twenty-one for development of the Kearney Palms Shopping Center, and ten in the California triangle. The Agency is in compliance with all applicable replacement housing obligations for the Project Area, per CRL requirements.

Going forward, any units removed or destroyed by the Agency will be replaced by comparable units as required by law. Residents will not be displaced until there are relocation units available for occupancy at costs comparable to those paid by the residents at the time of displacement. The Agency will assist displaced residents in finding housing that is decent, safe and sanitary and within their financial means. Relocation assistance will include advisory assistance, financial payments, and other provisions required by State law.

It is also possible that implementation of a redevelopment project may require the temporary or permanent displacement of non-residential occupants (i.e. businesses) within the Project Area. In each case, the Agency will use its best efforts to find relocation sites meeting the needs of the individual businesses displaced by Agency activity as required by law. In addition, the Agency will work with property owners to provide every opportunity for them to participate in the redevelopment of their own properties in the Project Area. The Agency will additionally offer re-entry opportunities where feasible to existing business owners and tenants on a preferential basis.

2. Traffic Circulation

It is anticipated that over the remaining life of the Project Area, streets may be realigned or abandoned, or new streets may be constructed to improve traffic circulation in the Project Area. In addition, as described in Section VI., the Agency may undertake a number of street improvements. Redevelopment activities undertaken in accordance to adopted City plans and guidelines will help alleviate some of the deficiencies in the traffic circulation system in the Project Area.

3. Environmental Quality

The Initial Study prepared for the Amendments reviewed the potential impact of the Amendments on the following resource areas:

- Aesthetics
- Agricultural and Forestry
- Air Quality
- Biological Resources
- Cultural Resources
- Geology/Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology/Water Quality
- Land Use/Planning
- Mineral Resources
- Noise
- Population/Housing
- Public Services
- Recreation
- Transportation/Traffic
- Utilities/Service Systems

Generally, the Amendments are not expected to create impacts to environmental quality beyond those anticipated for development in the City's General Plan. For most of the resource areas, any likely significant impacts could be mitigated, avoided or substantially lessened: Specific mitigation measures were identified for each of these areas to reduce impacts to a less-than-significant level. Resources areas for which there were significant and unavoidable impacts included air quality, cultural resources, greenhouse gas emissions, noise, and transportation and traffic.

As described in the following paragraphs, through redevelopment activities such as the removal or redevelopment of deteriorated, substandard and obsolete buildings, the development and reuse of existing vacant lots, and the installation of new and repair of existing public improvements to alleviate blight, many of the Agency's activities will improve the overall quality of the environment in the Project Area.

a) Air Quality

The City (and thus the Project Area) is located within the San Joaquin Valley Air Basin ("SJVAB"). In part due to the geography of the SJVAB, air movement is restricted and the environment is predisposed to poor air quality. The SJVAB is considered a non-

attainment area for selected pollutants and any new construction or development is likely to contribute pollutants into the atmosphere. There are a number of mitigation measures that have been included in the General Plan Master EIR ("GP MEIR") to alleviate and reduce the impacts of growth and development on air quality. In addition, the SEIR concluded that, with mitigation, direct and cumulative impacts on greenhouse gas ("GHG") emissions would remain significant and unavoidable. While mitigation measures may significantly reduce ("GHG") emissions, many of the control measures required are not under the jurisdiction of the Agency. Therefore, based upon an abundance of caution and despite the lack of a formal criteria for determining the level of significance of a project's contribution to climate change, the Agency concludes that direct GHG emissions may be caused by the Amendments that are significant and unavoidable. One of the goals of redevelopment of the Project Area is to encourage infill and brownfield development to help reduce the demand for Greenfield development and the resultant increase in vehicle miles traveled and air emissions. The Amendments will not result in any additional impacts beyond those identified in the GP MEIR and SEIR. Development and redevelopment projects in the Project Area will be subject to the same requirements as any other development activity in the City. It is anticipated that through the implementation of the mitigation measures required by the City and described in the GP MEIR, potential impacts to air quality can be significantly reduced.

b) Biological Resources

The Project Area is highly urbanized and surrounded by dense urbanization to the north and east. To the west and south, the Project Area is surrounded by urban development and vacant land. There are no wetlands in the Project Area and native habitat has been removed over time as the Project Area and surroundings developed. There are no sensitive habitats located within the Project Area. The GP MEIR determined that implementation of the General Plan would have a less-than-significant impact on biological resources. As the redevelopment activities will fall within the limits analyzed in the GP MEIR, there would be no significant impacts on biological resources by the Amendments.

c) Noise

As an urbanized area incorporating adjacent to freeways, the noise environment in the Project Area includes areas subject to high noise levels. Mitigation measures included in the GP MEIR and SEIR were intended to address noise levels and assess their impacts on an individual bases for any proposed development projects. Because the Project Area is already highly developed, the infill development that is likely to occur is unlikely to increase noise levels above levels that would be considered significant according to the City's General Plan Noise Element and Noise Ordinance.

d) *Cultural and Historic Resources*

The City has plans and policies in place to protect cultural and historic resources, including a Historic Preservation Ordinance and a Resource Conservation Element in the General Plan. These plans and policies are designed to prevent the loss of historically significant resources, including structures, and archeological and paleontological resources and sites. Properties proposed for redevelopment activities will be screened and examined in accordance with City policies. One of the Agency's goals is to reuse and rehabilitate structures that contribute to the historic fabric of the City. Redevelopment activities will be subject to the mitigation measures outlined in the GP MEIR and the SEIR for the preservation of archeological and paleontological resources to reduce potential impacts to historic resources. Mitigation activities include conducting Historic Building Surveys and the City and the Agency adopting and implementing a survey protocol for future development projects that would require the developer or property owner to complete an intensive-level historical resources survey assessment.

e) *Aesthetics*

Existing conditions in the Project Area include vacant and/or deteriorated buildings, vacant lots with weeds and trash, unscreened outdoor storage, and areas with mixed uses (residential and industrial intermixed). There are no scenic vistas or adopted view corridors in the Project Area that could be affected by redevelopment activities. Redevelopment activities would help alleviate visual blighting influences through the rehabilitation of deteriorated buildings, and improvements to landscaping and streetscapes, and fencing and screening of outdoor storage.

4. Community Facilities and Services

a) *Fire, Emergency and Police Protection*

Fire and emergency services are provided by the Fresno Fire Department ("FFD"). The Project Area is served by two fire stations: one located on Fresno Street at E Street which serves downtown and parts of southwest Fresno, and another on Cherry Avenue at Jensen Avenue. Emergency medical services are provided by a private contractor. Police protection is provided by the Fresno Police Department ("FPD"). The Project Area is within the Southwest Division of the FPD. The California Highway Patrol ("CHP") provides law enforcement services related to the State highway system. It is anticipated that there will be some growth in the population in the Project Area as infill development occurs and thus the demand for fire, emergency and police services may increase. However, it is also anticipated that the redevelopment of deteriorated and substandard buildings will improve the safety and overall environment of the Project Area. The

installation of improved street lighting and improvement in the overall streetscape along commercial corridors should improve safety and reduce crime.

b) Parks

Parks and recreational space are maintained by the Parks, After School, Recreation and Community Services ("PARCS") Department of the City. The primary parks and recreation spaces serving the Project Area are Hyde Park, Carver Park, Bigby Villa Park, Hinton Park and the Ivy Neighborhood Center recreational facility. There are also the Nielsen, Fink White, and Frank M. Ball playgrounds in addition to school playground facilities maintained by the Fresno Unified School District ("FUSD"). One of the Agency's priorities is to provide additional parks and recreation space. The Agency has developed three pocket parks in the Project Area. Streetscape improvements proposed for the Project Area would also provide green corridors through the Project Area.

c) Public Utilities

The City's primary water source is treated and untreated ground water from the Fresno Sole Source Aquifer. The groundwater is supplemented with treated surface water and an active recharge system protects the aquifer. According to the Initial Study, the City's network of water supply wells and distribution mains is considered generally sufficient to accommodate existing development and future development in the Project Area. Although the major transmission lines are adequate, water service laterals may need to be replaced or upgraded to accommodate continued development in the Project Area. The Amendments, by providing the Agency with additional time and resources, would be able to provide assistance to the City with the installation of upgraded water facilities to encourage the removal of blight and redevelopment of properties in the Project Area.

The City is the regional provider of sewer services and wastewater treatment. The City collects and conveys wastewater to the Fresno-Clovis Regional Wastewater Treatment Facility, which has a capacity of eighty million gallons per day ("MGD"). Currently, the facility receives sixty-eight MGD. The sewer system consists of a hierarchy of pipelines ranging in size from small diameter pipes (six to ten inches) that connect individual properties to large truck or interceptor sewers (thirty inches or more) that convey wastewater to the Treatment Facility. The Amendments, by given the Agency more time and resources would be able to provide assistance to the City in the installation of upgraded wastewater treatment facilities to encourage the removal and blight and redevelopment of properties in the Project Area.

Flood and drainage control in the Fresno metropolitan area is provided by the Fresno Metropolitan Flood Control District ("FMFCD"), which manages a system of interconnected surface conveyances (e.g. streets and gutters), storm drain inlets and pipelines, detention and retention basins, pump stations and outfalls that collect and

drain runoff from developed land areas. The system is designed to retain and filter as much runoff as possible; it discharges into irrigation canals, creeks and the San Joaquin River. The FMFCD has completed extensive improvements to the system and cleans inlets and pipelines to prevent obstructions. Drainage service for new development is funded through development fees paid upon approval. As with the other public infrastructure systems in the Project Area, the Amendments would allow the Agency additional time and resources that could be utilized to help improve existing drainage control by the installation of streets and gutters and curbs, and other system components to encourage redevelopment and the alleviation of blight in the Project Area.

Communication services (telephone, cable and internet) are provided by several companies to the Project Area. The majority of communication systems in the Project Area are underground, though there are also communication towers for wireless services within the Project Area as well. There are no known deficiencies in the communication systems within the Project Area. The Amendments are not expected to have any negative effects on communicational services.

5. School Population and Quality of Education

The Project Area is served by the FUSD for grades K–12. The FUSD maintains a number of schools and administrative sites within the Project Area. The redevelopment of the Project Area could potentially increase school population due to increases in resident population because of construction of new residential units, and by non-residential development to a lesser degree. The FUSD has enacted developer's fees to offset the effects of residential and non-residential development related to school facilities. In addition, alleviating the blighting conditions, especially in the portions of the Project Area that have experienced declining or stagnant property values, would encourage reinvestment in the Project Area, which would cause property values to increase. Such increases would generate additional property tax revenue for schools, as they would receive a portion of the increased property tax revenues, when properties are sold or improvements to the property are made. The state legislature recognized the potential impact to schools by redevelopment funding and specifically provided a net increase in funding for school capital improvements under AB 1290. The Amendments are not expected to have negative impacts on school population or quality of education.

6. Transportation and Traffic

While future development within the Project Area may entail the abandonment for realignment of streets or alleys, or the development of new streets or alleys, transportation planning is governed by the City's General Plan and the Edison Community Plan. Any future development would be reviewed to ensure compliance with applicable plans and standards. As described in Section II, the Agency has undertaken a number of street and traffic improvements to improve traffic and circulation in the Project Area. The Agency has an on-going program of public

improvements that includes repair, construction and reconstruction of streets, traffic improvements, traffic signal and safety lighting improvements to improve traffic and transportation in the Project Area.

7. Property Taxes and Assessments

The proposed Amendments will not cause property taxes to increase. Regardless of whether a property is in the Project Area or not, the County Tax Assessor may increase property valuations for existing properties at a maximum rate of two percent per year, as allowed under Proposition 13. In general, property tax increases above the two percent allowed under Proposition 13 occur in two circumstances: 1) when a property is sold; and 2) when improvements are made. These provisions apply irrespective of whether the property is within the Project Area. During the life of each Constituent Plan, taxable valuation of property in and adjoining the Project Area should increase in value as development or redevelopment of properties occurs. New development within the Project Area will be assessed in the same manner as property outside of the Project Area: at market value, as determined by the County Tax Assessor. In cases where a property is sold to another party, the property will be reassessed at market value.

Another matter potentially affecting property taxes in the Project Area and surrounding areas would be the possibility of additional levies resulting from the formation of special assessment districts. The financing of the redevelopment program, as outlined in this Report, assumes no special assessments within the Project Area and there are no proposals for formation of special assessment districts at this time.

B. RELOCATION AND LOW AND MODERATE INCOME HOUSING

As described in Section VI, the Agency has two programs for increasing, improving and preserving the community's supply of affordable housing. The following is a discussion of the specific issues that are required to be address by Section 33333.11(e)(8) of the CRL Related to these efforts.

1. Housing Units to be Destroyed or Removed

In the event that any low and moderate housing units within the area are displaced, the Agency will provide replacement housing units and assistance to the displaced persons or families as required by State law, the CRL, and the Agency's policies and guidelines regarding relocation.

2. Projected Residential Displacement and Number and Location of Replacement Housing Units

As described in the preceding paragraph, the Agency does not anticipate the displacement of low or moderate income residents due to its redevelopment activities. However, if such

displacement occurs, the Agency will identify such locations prior to such displacement. These locations are anticipated to be found within Project Area boundaries or in adjacent areas with sufficient vacant or underutilized properties.

3. Financing Method for Replacement Housing Requirements

The primary source of financing for any replacement housing units will be the Agency's Low and Moderate Income Housing Funds.

4. Timetable for the Provision of Relocation Housing

The Agency does not anticipate the displacement of residents, but if such displacement occurs, the Agency will develop a timetable as part of a Replacement Housing Plan(s) for the provisions of replacement units that ensure the units will be available within the time limits prescribed by law.

C. OTHER MATTERS AFFECTING THE PHYSICAL ENVIRONMENT

The proposed Amendments should have beneficial impacts on property owners and business owners in the Project Area. The implementation of Agency projects and programs consistent with the objectives of the General Plan and the Community Plans will bring about coordinated growth and development, and improvements in the public infrastructure system that will make the Project Area a more attractive place to live and work. Continued implementation of the Agency's projects and programs will also stimulate reinvestment by the private sector and further assist in the alleviation of blighting conditions. In addition, the Project Area will provide housing opportunities for current and future residents within the Project Area at a variety of income levels.

IX. DESCRIPTION OF EACH BOND SOLD BY THE AGENCY PRIOR TO THE ANTICIPATED ADOPTION DATE OF THE AMENDMENTS

Section 33333.11(e)(9) requires that a description of each bond sold by the Agency to finance or refinance the redevelopment project prior to six months before the date of adoption of the proposed Amendment(s) be included in this Report. This description must include the amount of remaining principal for each bond sold, the annual payments, and the date that the bond will be paid in full.

For the Project Area, the Agency completed a bond issuance in 2001 with net proceeds to the Agency of \$10 million. The interest rates for the bonds vary from four percent to five-point-twenty-five percent and annual principal installments vary from \$115,000 to \$535,000 through 2019. The bonds will be fully repaid on August 1, 2018. Debt service in fiscal year 2010 is projected to be \$884,128 (\$575,000 paid on the principal and approximately \$309,128 paid in interest). The bond payment schedule for the bonds is shown in Table 34 below.

Table 34: SWGNRA Tax Allocation Bond Debt Service Schedule

For Period Ending June 30,	Principal	Interest	Annual Debt Service
2002	115,000	396,087.55	511,087.55
2003	300,000	441,827.50	741,827.50
2004	315,000	429,527.50	744,527.50
2005	475,000	413,727.50	888,727.50
2006	495,000	394,327.50	889,327.50
2007	510,000	374,227.50	884,227.50
2008	530,000	353,427.50	883,427.50
2009	555,000	331,727.50	886,727.50
2010	575,000	309,127.50	884,127.50
2011	595,000	285,727.50	880,727.50
2012	625,000	261,015.00	886,015.00
2013	645,000	234,657.50	879,657.50
2014	675,000	206,600.00	881,600.00
2015	705,000	172,700.00	877,700.00
2016	740,000	132,962.50	872,962.50
2017	785,000	92,006.25	877,006.25
2018	825,000	49,743.75	874,743.75
2019	535,000	14,043.75	549,043.75
Totals	<u>\$10,000,000</u>	<u>\$4,893,463.80</u>	<u>\$14,893,463.80</u>

X. REPORT AND RECOMMENDATION OF THE PLANNING COMMISSION

Section 33333.11(h) of the CRL requires that the Agency's Report to the City Council contain the report and recommendation of the Planning Commission on the proposed Amendments. The Agency is required to send the Report to the Planning Commission no later than 120 days before the public hearing on the Amendments.

On July 2, 2010, in accordance with noticing requirements of the CRL the following documents were delivered to the Planning Commission: 1) proposed Merger No. 2 Plan Amendments; 2) the "Preliminary Report" required by CRL Section 33333.11(e); and 3) Notice of Availability and Draft Subsequent Environmental Impact Report (DSEIR) for the Proposed Amendments.

A public notice of the October 20, 2010 Planning Commission Hearing was published in the Fresno Bee on Thursday, October 7, 2010, and also mailed to all property owners, residents, and businesses in the Constituent Redevelopment Project Areas. The public notices have also been mailed by certified return receipt to each of the affected taxing agencies in the Constituent Redevelopment Project Areas. Two Public Information Meetings were also held on Monday, September 13, 2010, at the West Fresno Regional Center, and October 11, 2010, at Sanctuary Church in the Southwest Fresno Community. Information was provided on the Plan Amendments, Agency accomplishments, and the public review process.

Copies of the staff report to the Planning Commission and related attachments, and the Resolution adopted by the Planning Commission are included as Appendix 9.

XI. CONFORMANCE WITH HOUSING ELEMENT, FINANCIAL AUDITING AND LOW- AND MODERATE-INCOME HOUSING FUND EXPENDITURE REQUIREMENTS

CRL Section 33333.10(h) states that a redevelopment agency may not amend its redevelopment plan pursuant to Section 33333.10 unless the agency first adopts a resolution that finds, based upon substantial evidence, all of the following:

1. The community has adopted a housing element that the department has determined pursuant to Section 65585 of the Government Code to be in substantial compliance with the requirements of Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7 of Government Code;
2. During the three fiscal years prior to the year in which the amendment is adopted, the agency has not been included in the report sent by the Controller to the Attorney General pursuant to subdivision (b) of Section 33080.8 as an agency that has a "major violation" pursuant to Section 33080.8; and
3. After a written request by the agency and provision of the information requested by the department, the department [HCD] has issued a letter to the agency, confirming that the agency has not accumulated an excess surplus in its Low- and Moderate-Income Housing Fund. As used in this section, "excess surplus" has the same meaning as that term is defined in CRL Section 33334.12. If the HCD does not respond to the written request of the agency for this determination within 90 days after receipt of the written request, compliance with this requirement shall be deemed confirmed.

A. COMPLIANCE OF THE GENERAL PLAN HOUSING ELEMENT WITH GOVERNMENT CODE

In 2004, both of the Constituent Redevelopment Plans were amended to cause the land use element for both of the Constituent Redevelopment Plans to be the City's General Plan and the relevant community and specific plans, as may be adopted or amended from time to time. Therefore, the adoption of the 2004 Plan Amendments ensured conformity of the two Constituent Redevelopment Plans with the City's General Plan and the relevant community and specific plans on a continuous basis.

With respect to the General Plan Housing Element, the Agency's revitalization strategy is primarily intended to retain, rehabilitate, and improve as many of the existing buildings in the Constituent Redevelopment Project Areas in the Merger No. 2 as is feasible, and to provide for new housing infill opportunities. The majority of the Constituent Redevelopment Plans are planned for residential, commercial, mixed-use housing, public, and industrial uses. However, it is contemplated that the eventual displacement of some of the housing units within the Constituent Redevelopment Project Areas could occur. This does not impact the General Plan

Housing Element, as any low and moderate income housing units that may be destroyed or removed from the low and moderate income housing market will be relocated and/or replaced, either inside or outside the Merger No. 2 Project Area pursuant to all state and federal requirements. The Low and Moderate Income Housing funds generated from the Constituent Redevelopment Project Areas will be utilized to improve the community's supply of low and moderate income housing either within the Southwest Fresno GNRA Constituent Redevelopment Project Area, or within or adjacent to the Fruit/Church Constituent Redevelopment Project Area. It should be noted that the proposed Plan Amendments will involve an increase in the amount of Low and Moderate Income Housing funds from twenty percent to thirty percent of Gross Tax Increment funds for both of the Constituent Redevelopment Project Areas.

The City's General Plan Housing Element was adopted on January 27, 2009, and submitted to the HCD for review. It was received by the HCD on February 2, 2009. HCD found the Housing Element to be in full compliance with the State housing element law (Article 10.6 of the Government Code) and sent a letter stating its finding to the City on February 27, 2009. A copy of the letter from HCD is included in Appendix 10. Therefore, the City is in compliance with the requirements of CRL Section 33333.10(h)(1).

B. AGENCY STATUS REGARDING MAJOR VIOLATIONS, EXCESS SURPLUS AND THE LOW- AND MODERATE-INCOME FUND EXPENDITURE REQUIREMENTS

On July 26, 2010, the Agency submitted a letter requesting that the HCD provide written confirmation that the Agency was in compliance with the requirements of CRL Section 33333.10(h)(3) and that it had not acquired an "excess surplus" in its Low- and Moderate-Income Housing Fund. To facilitate confirmation, the Agency enclosed with its letter:

- 1) A confirmation notice from HCD's On-Line Reporting System that the Agency's Annual HCD Report for FY 2008-09 was filed electronically;
- 2) *Schedule C, Agency Financial and Program Detail for FY 2008-09* from the Agency's independent auditor, Brown Armstrong Paulden McCown Starbuck Thornburgh & Keeter Accountancy Corporation, showing that the Agency had not accumulated an excess surplus in its Low- and Moderate-Income Housing Fund; and
- 3) A December 11, 2009 compliance letter from the Agency's independent auditor, Brown Armstrong Paulden McCown Starbuck Thornburgh & Keeter Accountancy Corporation, regarding the FY 2006-07 State Controllers Report.

The Agency received no response from the State of California within 90 days of receipt of the Agency's written request. Therefore, pursuant to CRL Section 33333.10(h)(3), compliance with this requirement is confirmed.

XII. CEQA COMPLIANCE

Section 33333.11(h)(3) of the CRL requires the Report to contain the report required in order to comply with the CEQA of the Public Resources Code, i.e., a negative declaration, environmental impact report or other environmental review document.

An Initial Study was prepared for the Amendments and because potential negative impacts were identified, the Agency and the City, as the Co-Lead Agencies, determined that the preparation of a Subsequent Environmental Impact Report ("SEIR") would better address the potential impact of the Amendments in four areas: cultural resources, air quality, greenhouse gas emissions, and noise.

The Notice of Availability for the Draft SEIR ("DSEIR") was published on July 7, 2010 in the Fresno Bee and transmitted to the State Clearinghouse, and to other public agencies and individuals pursuant to Public Resources Code Section 21092 and CEQA Guidelines Section 15087, and the DSEIR was made available to the public for review. The DSEIR is included herein as Appendix 11.

The forty-five-day public comment period for the DEIR was closed on August 21, 2010. Prior to the close of the public comment period, the Agency received three comment letters, and one memorandum from government agencies and private parties. The Agency also received one comment letter after the close of the public review period. The Governor's Office of Planning and Research ("OPR") also sent a letter stating that the OPR received one comment letter during the public review period and that the Agency had complied with the draft environmental review requirement pursuant to CEQA. Public testimony regarding the DSEIR was taken during meetings of the City's Historic Preservation Commission ("HPC") meetings on August 23, 2010. The public's concerns were considered by the HPC in the preparation of the HPC's formal comments on the DSEIR, which were submitted by letter.

In accordance with the Section 15088 of the CEQA Guidelines, the Agency subsequently prepared written responses to all of the aforementioned comments for inclusion in the Final SEIR ("FSEIR"). The written comments fell into three key areas regarding conformity with the General Plan, cultural resources, and, how future development would need to involve review/consultation with the National American Heritage Commission and the San Joaquin Valley Air Pollution Control District. A description of the comments and the responses to the comments from the Co-Lead Agencies is contained the Planning Commission Staff Report in Appendix 9 and the FSEIR in Appendix 12.

The FSEIR is an adequate assessment of the potentially significant environmental impacts of the Amendments and has been completed in compliance with CEQA. The FSEIR indicates that the Amendments may result in significant, unavoidable air quality, greenhouse gas emissions, historical resources and noise impacts. Public Resources Code Section 21081 and the

provisions of Section 15091 of the CEQA Guidelines, require that no public agency shall approve or carry out a project for which an environmental impact report has been certified which identifies one or more significant effects on the environment unless “. . . the public agency finds that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects of the environment” (Public Resources Code § 21081(b)). Therefore, after certification of the FSEIR, the Agency will be expected to adopt an appropriate statement of overriding considerations before subsequently approving the proposed Amendments.

The FSEIR is included in the Report as Appendix 12.

XIII. SUMMARY OF CONSULTATIONS WITH AFFECTED TAXING ENTITIES

Pursuant to CRL Section 33333.11(h)(4), the Report must include a summary of consultations, or attempts by the Agency to consult, with the affected taxing agencies. If any of the taxing agencies have expressed written objections or concerns with the proposed Amendments as part of these consultations, the Agency shall include a response to these concerns within the Report.

CRL Section 33333.11(e) requires the Agency to transmit the Preliminary Report to all affected taxing entities, the DOF and the HCD no later than 120 days prior to the joint public hearing on the Amendments. The Agency sent the Preliminary Report to all of the taxing entities regarding the Plan Amendments to the Constituent Redevelopment Plans in Merger No. 2, and offered to participate in consultation meetings to discuss the Plan Amendments and how they would relate to a taxing entity on July 2, 2010. See Appendix 13 for an example transmittal letter to the taxing entities.

A. FRESNO COUNTY

Agency staff received in a series of email transmittals from the Administrative Office of the County of Fresno on July 29, August 26, and September 8, 2010, written requests for information about historical documents about the past plan amendments for Merger No. 2, the Agency's schedule for the Merger No. 2 Plan Amendments, and detailed information about how the tax increment calculations were made for Merger No. 2. All of this information was provided to County Staff by the Agency in a series of email transmittals concluding on September 8, 2010.

XIV. SUMMARY OF CONSULTATIONS WITH RESIDENTS AND COMMUNITY ORGANIZATIONS

CRL Section 33333.11(h)(5) requires the Agency to include a summary of consultations with residents and community organizations, including the Project Area Committee ("PAC") if one exists.

The Agency held community information meetings on September 13, and October 11, 2010 to inform residents, businesses, community organizations, and all interested parties about the proposed Amendments. The community information meetings were all duly noticed, with notices published in the Fresno Bee and mailed to all residents, property owners, businesses and community organizations in the Project Area. Copies of the notices and accompanying materials are included in Appendix 14.

Community Information Meetings

In addition to the public comment received as part of the environmental review process described above, two public information meetings were held in Southwest Fresno regarding the proposed Plan Amendments. On September 1, 2010, a notice was mailed to all property owners, residents, and businesses in the Constituent Redevelopment Project Areas. Public notices were also published three times in the Fresno Bee (September 3, 10, and 17, 2010) pursuant to Redevelopment Law requirements (see Appendix 14). On September 13, 2010, the first public information meeting was held at the West Fresno Regional Center in Southwest Fresno to provide information on the Plan Amendments, Agency accomplishments and the public review process.

To further address questions from the first public information meeting, a second notice was mailed on October 5, 2010 to all property owners, residents, and businesses in the Constituent Redevelopment Project Areas. Public notices were also published three times in the Fresno Bee (October 7, 14, and 21, 2010) pursuant to Redevelopment Law requirements (see Appendix 14). The second public information meeting was conducted at the Sanctuary Church in Southwest Fresno to provide information on the Plan Amendments, Agency accomplishments, the public review process, and to provide follow up information from the first public information meeting.

Approximately eighty-five people were in attendance at the September 13, 2010 meeting and approximately eighty-nine people were in attendance at the October 11, 2010 meeting. Spanish translation services were made available at both public information meetings. At both public information meetings, Agency staff and KMA, the Agency's redevelopment consultant, provided an overview of redevelopment activities in the Merger No. 2 Area, reasons why the proposed updates of the Redevelopment Plans are necessary, an overview of the public review process and an overview of the proposed changes to the Redevelopment Plans. Staff provided attendees a schedule of public meetings for review of the Plan Amendments, with revised dates

as follows: Planning Commission on October 20, 2010, the Housing and Community Development Commission on October 27, 2010, and the Joint Public Hearing of the Fresno City Council and Agency Board on December 9, 2010. Agency staff and KMA responded to questions from the audience. The public's questions were about the purpose of the public information meetings, where background/historical information about the Agency's activities could be obtained, an explanation about blight, how the City and Agency coordinate projects such as infrastructure and housing, the property acquisition/condemnation process, an explanation about tax increment, affordable housing and the need for market-rate housing, and other issues such as code enforcement, public safety and allocation of City funds which are outside the jurisdiction of the Agency.

Written Comments Received

On October 20, 2010, the Agency received a letter dated October 15, 2010, from Rose M. Howell, a property owner in the Southwest Fresno Redevelopment Project Area. The letter states concerns about the past programs of the Redevelopment Agency and the need for financial transparency and accountability. Ms. Howell requests that detailed financial reports over the last twenty years be provided to show that funds designated for specific projects were actually used for the intended purposes; that residents have not been informed of the RDA's activities and progress from 1998 thru 2009; that a forensic audit of all RDA expenditures, including CDBG funds for the area be provided; and that public information be disbursed on an ongoing basis after the planning process for the Plan Amendments has been completed. Ms. Howell requests that the Plan Amendments not be approved or acted upon until the information in her letter is provided.

Response

Each year the Redevelopment Agency files with the State Controllers Office an annual audit conducted by an independent auditor. The State Controllers Report also includes all of the financial transactions conducted, on a fiscal year basis, as well as information on the use of the Housing Set-aside Funds. The Southwest Fresno and Fruit/Church Redevelopment Project Areas (the "Constituent Project Areas or Plans") are included in this Report, which is provided to the City Council and Agency Board, and is also posted on the Redevelopment Agency Website. These documents are also available at the City Clerk's Office, and each Report prepared since 1997 is also available for review at the Redevelopment Agency Office. The Annual Budget of the Redevelopment Agency is also available for public review at the City Clerk's Office, the Redevelopment Agency Office, and the Redevelopment Agency Website.

The Agency's Programs for the revitalization of the subject Constituent Project Areas are also described in the Preliminary Report, and an overview of the Agency's accomplishments were described in the two Public Information Meetings on September 13, and October 11, 2010. The Agency's Programs for the future revitalization of the Constituent Project Areas are described in the Preliminary Report, which also contains a proposed update of the Five Year Implementation Plan for the subject Constituent Project Areas.

Following the adoption of the proposed Plan Amendments, the Agency expects to continue to be available for citizen input. This includes the public review of the Agency's annual Budget which contains a report on Agency accomplishments, and a proposed work program. On specific projects the Agency typically follows a public process where area residents are given opportunity for public input in the approval of Requests for Proposals for development, negotiation of any development agreements, and owner participation agreements.

A copy of the October 15, 2010, from Rose M. Howell is included in Appendix 14.

APPENDICES

Appendix 1: Definitions

"1998 Report" means the Report to City Council for the Merger of the Southwest Fresno GNRA and Fruit/Church Redevelopment Plans (Merger No. 2) prepared by Keyser Marston Associates, Inc., dated September 1998.

"Agency" means the Fresno Redevelopment Agency or the Redevelopment Agency of the City of Fresno.

"CHPP" means the Community Housing Partnership Program.

"City Council" means the City Council of the City of Fresno.

"Constituent Plans" means the Redevelopment Plan for the Southwest Fresno GNRA and the Redevelopment Plan for the Fruit/Church Project Area.

"CRL" means the California Community Redevelopment Law, Health and Safety Code Section 33000 et seq.

"DOF" means the California Department of Finance.

"FPD" means Fresno Police Department.

"HCD" means the California Department of Housing and Community Development.

"Housing Authority" means the Housing Authority of the City and County of Fresno.

"Planning Commission" means the Planning Commission of the City of Fresno.

"Project Areas" means the Constituent Project Area of the Merger No. 2 Project Area, which are the Southwest GNRA and the Fruit/Church Project Areas.

Appendix 2: Sources

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California Avenue Master Plan. Fresno Housing Authority. January 9, 2008.

Edison Community Plan. City of Fresno. May 10, 1997.

Websites

City of Fresno Police Department website. May 4, 2010.
<http://www.fresno.gov/Government/DepartmentDirectory/Police/CrimeReportsandStatistics/Default.htm>

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<http://www.fwced.com>.

Appendix 3: Field Survey Methodology

GIS-based tools were used to organize and standardize data collection. The GIS tools were based on the City's street and parcel layers, projected at NAD83, California State Plane IV in US feet. Information from the City's GIS parcel layer was joined with data from the County Assessor's Office, as provided by Metroscan. This dataset included the following types of information: parcel number, owner name, Assessor's land use category, Assessor's property values for land and buildings, whether the parcels was part of a group of multiple parcels in the same ownership, and home ownership tax exemption status.

Field survey data was collected on 38 criteria. The data fell into four categories: Land Use, Overcrowding/Intense Use, Nuisances, and Design or Construction Defects. Each property was assigned an "Overall Condition" rating: Good, Deferred Maintenance, Deteriorated, Dilapidated, or N/A (properties with obscured views that could not be rated). These data fields were added to the database, along with additional fields for general comments. In addition, the team took pictures of select representative buildings and the photo numbers were recorded in a separate field. A sample of the first page of the data collection form is shown below. The second page of data is shown on the following page.

Parcels

City Data and Land Use | Deficiencies | Attributes

Fresno Redevelopment Study

APN: _____ Owner: _____

Address: _____ Address2: _____

Legal Description: _____

Lot Width: _____ Lot Depth: _____ Area: _____

Surveyor: _____ Survey Date: _____

Land Use

☐ Parking Lot ☐ Vacant Bldg ☐ Special Land Use _____

☐ Vacant Lot ☐ Boarded Window ☐ Laundromat

☐ Underutilized Site ☐ Boarded Entry

☐ Incompatible Land Use ☐ Obstructed View

Parcel verification data

Surveyor ID, date

Special Land use categories
includes neighborhood-
serving retail and

The screenshot shows a software window titled "Parcels" with three tabs: "City Data and Land Use", "Deficiencies", and "Attributes". The "Deficiencies" tab is active, displaying three sections of checkboxes:

- Indicators of Overcrowding:**
 - ☐ Trailers as Housing
 - ☐ Garage Conversion
 - ☐ Open Storage
 - ☐ Loading/Parking Conflicts
 - ☐ Excess Vehicles
 - ☐ Overcrowding
- Nuisances:**
 - ☐ Litter
 - ☐ Debris
 - ☐ Dumping
 - ☐ Graffiti
 - ☐ Exposed Dirt
 - ☐ Weeds
 - ☐ Abandoned Cars
 - ☐ Homeless
- Building Conditions:**
 - ☐ HazMat Sign
 - ☐ Substandard Construction
 - ☐ Obsolete Building
 - ☐ UMB
 - ☐ Code Inspection Needed
 - ☐ Opportunity Site
 - ☐ Check for haz mats

Below these sections are the following fields:

- Overall Rating:** A dropdown menu.
- Photo Number(s):** A text input field.
- ☐ **Property for Sale**
- Comments:** A large text area.

At the bottom left are "ok" and "cancel" buttons.

Signs that building or parcel is overused

Lack of maintenance by occupants and/or City Surveyor recommends further examination

Ratings: Good, Deferred Maintenance, Deteriorated, Dilapidated, N/A

The "Comments" field was used to record unique information about a parcel, such as the name of a business, additional signs of serious deterioration or dilapidation. Responses here were limited to 50 characters.

The survey team is experienced in assessing properties. Three of the four surveyors have master's degrees in Urban Planning or Architecture, and the fourth has a bachelor's degree with a certificate in construction management. Work history in planning, design, or construction ranged from seven to thirty years. The field team surveyed in pairs, and each team had a team leader with experience surveying at least 10,000 properties. Prior to starting work, the team reviewed the ranking criteria, and synchronized their use of the evaluation criteria by practicing together in the field on several parcels.

Surveying was conducted either from within a vehicle or on foot while standing in the public right of way (sidewalk). Data was entered directly into the database through the GIS software ArcPad from ESRI. The computers used were convertible laptops from Fujitsu (model 2010T or 4020T) or a Panasonic Toughbook (C18). One additional team member with a background in environmental engineering served as a driver, and advised surveyors in the industrial areas regarding the potential presence of hazardous materials.

Each evening, records from surveyed parcels were transferred to one computer for review and combining into a "daily" data set. The daily data set was reviewed for overlaps and missed parcels, and the daily progress files

were archived and mapped. The file of remaining parcels to survey, as well as the combined file of completed parcels, was uploaded back onto the laptops in anticipation of the following day's work.

A limited number (ninety) of parcels in the Project Area were not surveyed. The parcels not surveyed were primarily residential parcels in situations where the survey team could not observe conditions on the parcel (due to high walls or shrubbery, or some other type of view obstruction). In addition, there were approximately fifteen parcels on Roy Avenue in the southernmost portion of the Project Area that could not be surveyed due to safety concerns. The Fresno Police Department officers in the area recommend that the survey team not return to the area due to heightened gang activity. The ninety parcels not surveyed represent two percent of the parcels in the Project Area.

Appendix 4: Commercial Facilities

Appendix Table 1: Supermarkets in the City of Fresno

Name	Address	Name	Address
Costco	4500 W Shaw Ave	Save Mart	7075 N Marks Ave
Costco	7100 N. Abby St	Save Mart	2066 W Bullard Ave
Food-4-Less	8921 N Chestnut Ave	Save Mart	1107 E Champlain Dr
Food Maxx	1177 Fresno St	Save Mart	3750 W Shields Ave
Food Maxx	5422 N Blackstone Ave	Save Mart	6797 N Milburn Ave
Food Maxx	3241 W. Shaw Ave	Save Mart	4041 E Ashlan Ave
Food Maxx	4970 E. Kings Canyon Rd	Save Mart	5671 E. Kings Canyon Rd
Foods CO	3657 W. Shaw Ave	Save Mart	5750 N. First St
Foods CO	4838 E. Kings Canyon Rd	Save Mart	659 E. Nees St
Foods CO	3053 E. Shields Ave	Smart & Final	5700 N Blackstone Ave
Fresh & Easy	2820 E. Tulare St	Smart & Final	3330 W Shaw Ave
Fresh & Easy	2047 W. Shaw Ave	Smart & Final	631 H St
Fresh & Easy	8059 N. Cedar Ave	Trader Joe's	5376 N Blackstone Ave
Sam's Club	7663 N. Blackstone Ave	Vons	1650 E Herndon Ave
Save Mart	2425 N Blackstone Ave	Vons	8949 N Cedar Ave
Save Mart	5750 N 1st St	Vons	7733 N 1st St
Save Mart	4043 W Clinton Ave	Vons	4343 N Blackstone Ave
Save Mart	6055 N Figarden Dr	Vons	3850 N Cedar Ave
Save Mart	1625 N Fruit Ave	Vons	5638 E Kings Canyon Rd
Save Mart	4120 N West Ave	Whole Foods	650 W Shaw Ave
Save Mart	2650 E Shaw Ave	Win Co Foods	1004 S. Peach Ave
		Win Co Foods	4488 W Shaw Ave

Source: Switchboard.com, Yahoo.com

Appendix 5: Drug Stores in the City of Fresno

Pharmacy	Address	Pharmacy	Address
BK Pharmacy	4578 N. 1st St	Rite Aid	4593 Cedar Ave
BK Pharmacy	1275 E. Spruce Ave	Rite Aid	1210 N. Blackstone
BK Pharmacy	540 E. Herndon Ave	Rite Aid	1101 Fresno St
BK Pharmacy	3440 W. Shaw Ave	Rite Aid	5574 E. Kings Canyon Rd
Bowerman's Pharmacy	3131 S. Willow Ave	Rite Aid	3795 Shields Ave
Buker & Colson Medicine Chest	1300 N. Fresno St	Rite Aid	2047 W. Shaw Ave
Bullard Pharmacy	2026 W. Bullard Ave	Rite Aid	4224 E. Shields Ave
Cardinal Health	7330 N. Palm Ave	Rite Aid	2011 W. Shaw Ave
Care Center Pharmacy	1570 E. Herndon Ave	Rite Aid	6074 N. 1st St
Community First Pharmacy	3636 N. 1st St	Rite Aid	2990 E. Nees Ave
Community Home Delivery Pharmacy	110 N. Valeria St	Rite Aid	8027 N. Cedar Ave
Community Medical Arts Pharmacy	2638 Tuolumne St	Save Mart Pharmacy	659 E. Nees Ave
Community Medical Arts Pharmacy	2041 E. Divisadero St.	Save Mart Pharmacy	5750 N. 1st St
Costco	7100 N. Abby St	Save Mart Pharmacy	5671 E. Kings Canyon Rd
CVS Pharmacy	4987 N. Fresno St	Save Mart Pharmacy	1107 E. Champlain Dr
CVS Pharmacy	728 W. Shaw Ave.	Save Mart Pharmacy	7075 N. Marks Ave
CVS Pharmacy	6800 N. Milburn Ave	Save Mart Pharmacy	2425 N. Blackstone Ave
CVS Pharmacy	7096 N. West Ave	Save Mart Pharmacy	6797 N. Milburn Ave
CVS Pharmacy	3011 E. Shields Ave	Sunnyside Pharmacy	5689 E. Kings Canyon Rd
CVS Pharmacy	6750 N. Cedar Ave	Target	3150 W. Shaw Ave
CVS Pharmacy	5180 E. Kings Canyon Rd	Target	7600 N. Blackstone Ave
CVS Pharmacy	4077 W. Clinton Ave	Target	5740 N. Blackstone Ave
CVS Pharmacy	4102 N. West Ave	Target	3173 E. Shields Ave
CVS Pharmacy	1113 E. Champlain Dr	Tou's Pharmacy	3250 E. Olive Ave
CVS Pharmacy	1302 Fulton Mall	Universal Rx Service	2064 W. Paul Ave
Discount Pharmacy & Medical	703 N. Fulton St.	V V G Rx Inc.	3030 N. Fresno St
Drug Fair	1233 N. Van Ness Ave	Valley Pharmacy Inc.	2045 N. Fresno St
Fresno Pharmacy	4917 E. Kings Canyon Rd	Valu-Rite Pharmacy	1429 N. Van Ness Ave
Herndon Pharmacy	1827 E. Fir Ave	Valu-Rite Pharmacy	4222 E. Butler Ave
Manor Drugs	5795 N. 1st St	Vina Pharmacy	2308 N. Fresno St
Medical-Dental Pharmacy	689 E. Nees Ave	Vista Pharmacy	4233 E. Tulare St
Medicine Shoppe	219 E. Olive Ave	Vons	7733 N 1st St
Medicine Shoppe	4845 E. Butler Ave	Vons	4343 N. Blackstone Ave
Medicine Shoppe	2484 E. Gettysburg Ave	Vons Pharmacy	5638 E. Kings Canyon Rd
Medicine Shoppe	4009 N. Marks Ave	Vons Pharmacy	8949 N. Cedar Ave
Modern Pharmacy	3044 Tulare St	Walgreens	610 E Nees Ave
Night Reading Pharmacy	5730 N. 1st St	Walgreens	2840 Ashlan Ave
Northwest Medical Pharmacy	4770 W. Herndon Ave.	Walgreens	4182 N. 1st St
PC Pharmacy	90 E. Escalon Ave	Walgreens	7015 N. West Ave
Per Pharmacy	1104 W. Palo Alto Ave	Walgreens	6010 N. Figarden Dr.
Phar Merica	4910 E. Ashlan Ave	Walgreens	4204 E. Olive Ave
Pharm-Assist Inc.	8536 N. Del Mar Ave	Walgreens	4810 E. Kings Canyon Rd
Primary Care Pharmacy	5551 E. Kings Canyon Rd.	Walgreens	2420 N. Blackstone Ave
Professional Pharmacy Alliance	770 E. Shaw Ave	Walgreens	1344 W. Clinton Ave
Ray Fisher Pharmacy	6629 N. Blackstone Ave	Walgreens	2424 N. Brawley Ave
Ray Fisher Pharmacy	7946 N. Maple Ave	Walgreens	626 S. Clovis Ave

Appendix 5: Drug Stores in the City of Fresno (cont'd)

Pharmacy	Address	Pharmacy	Address
Walgreens	5747 N. Palm Ave	Walgreens	1219 N. Cedar Ave
Walgreens	4771 W. Ashlan Ave	Walgreens	2950 N. Fowler Way
Walgreens	8975 N. Chestnut Ave	Wal-Mart	3750 W. Shaw Ave
Walgreens	6885 N. Willow Ave	Westside Pharmacy	302 Fresno St
Walgreens	5785 N. 1st St	Winton's Professional Pharmacy	1377 E. Herndon Ave

Source: Switchboard.com, Yahoo.com

Appendix 6: Banking Institutions in the City of Fresno

Name	Address	Name	Address
Bank of America	3411 W Shaw Ave	CitiBank	5075 N Chestnut Ave
Bank of America	2611 S Cedar Ave	CitiBank	6025 N 1st St
Bank of America	590 E Shaw Ave	CitiBank	5545 E Kings Canyon
Bank of America	4445 E Tulare St	CitiBank	3141 N Cedar
Bank of America	8971 N Cedar Ave	CitiBank	437 S Madera Ave
Bank of America	1521 Fresno St	CitiBank	700 Bellevue
Bank of America	1264 N Wishon Ave	CitiBank	331 W Shields Ave
Bank of America	3435 N Cedar Ave	CitiBank	4191 N Blackstone Ave
Bank of America	5292 N Palm Ave	CitiBank	1010 E Perrin
Bank of America	7837 N Blackstone Ave	CitiBank	1405 W Shields
Bank of America	2513 Fresno St	CitiBank	7025 N Marks Ave
Bank of America	5708 E Kings Canyon Rd	CitiBank	530 E Yosemite Ave
Bank of America	2513 Fresno St	CitiBank	7277 N 1st St
Bank of America	3790 N Blackstone Ave	CitiBank	2303 Kern St
Bank of America	8949 N Cedar Ave	Citizens Business Bank	7110 N 1st St
Bank of America	1111 W Shields Ave	Clovis Community Bank	1107 E Champlain Dr
Bank of America	6485 N Palm Ave	Comerica Bank	5200 N Palm Ave
Bank of the Sierra	5775 E Kings Canyon	County Bank	2625 Divisadero St
Bank of the Sierra	636 E Shaw Ave	County Bank	1330 E Shaw Ave
Bank of the Sierra	7029 N Ingram Ave	County Bank	2150 W Shaw Ave
Bank of the West	2035 Fresno St	County Bank	505 N Clovis Ave
Bank of the West	515 E Shaw Ave	County Bank	2705 E Divisadero St
Bank of the West	7062 N 1st St	County Bank	80 E Nees St
Bank of the West	2110 W Shaw Ave	Creative Lending Services	516 W Shaw Ave
Bank of the West	1755 W Bullard Ave	Educational Employees Credit Union	3488 W Shaw Ave
Borrego Springs Bank	1100 W Shaw Ave	Educational Employees Credit Union	1111 Van Ness Ave
California Bank & Trust	5240 N Palm Ave	Educational Employees Credit Union	5640 E Kings Canyon Rd
California Bank & Trust	7060 N Fresno St	Educational Employees Credit Union	455 E Barstow Ave
Capital Source Bank	776 E Shaw Ave	Excel National Bank	6495 N Palm Ave
Central Valley Community Bank	570 S Clovis Ave	Fresno County Federal CU	1250 N Van Ness Ave
Central Valley Community Bank	2404 Tulare St	Fresno County Federal CU	4979 E University Ave
Central Valley Community Bank	8375 N Fresno St	Fresno County Federal CU	4422 W Ashlan Ave
Central Valley Community Bank	7100 N Financial	Fresno County Federal CU	8087 N Cedar Ave
Central Valley Community Bank	5180 N Palm Ave	Fresno County Federal CU	3067 W Bullard Ave
Chase	7160 N 1st St	Fresno First Bank	7690 N Palm Ave
Chase	1380 W Shaw Ave	Fresno First Bank	760 W Nielson Ave
Chase	3751 W Shaw Ave	Fresno Madera Farm Credit	4201 W Shaw Ave
Chase	4848 E Kings Canyon Rd	Fresno Madera Farm Credit	4635 W Spruce Ave
Chase	3681 N Blackstone Ave	Golden 1 Credit Union	111 E Shaw Ave
Chase	7892 N Blackstone Ave	Greater Valley Credit Union	1185 W Hedges Ave
Chase	6761 N Milburn Ave	Greater Valley Credit Union	1901 E Shields
CitiBank	2270 W Shaw Ave	Met Life Bank	5250 N Palm Ave

(Continued on the next page)

Appendix 6: Banking Institutions in the City of Fresno (cont'd)

Name	Address	Name	Address
Murphy Bank	5180 N Palm Ave	United Security Bank	855 M St
Pacific Service Credit Union	102 E Nees St	Valley Business Bank	7391 N Palm Ave
Premier Valley Bank	8355 N Fresno St	Valley Independent Bank	7111 N Fresno St
Professional Business Bank	7110 N Fresno St	VIB Bank of Stockdale	6715 N Palm Ave
Rabobank	6715 N Palm Ave	Wachovia	5210 N Palm Ave
Rabobank	7111 N Fresno St	Wachovia	6646 N Cedar Ave
Rabobank	45 River Park Pl	Chase	796 E Shaw Ave
Security First Bank	3720 N Blackstone Ave	Wells Fargo	5 River Park
Sentinel Trust CO	5755 W Sample Ave	Wells Fargo	1206 Van Ness Ave
State Bank of India	2787 W Shaw Ave	Wells Fargo	2450 N Brawley Ave
State Center Credit Union	1515 E Shaw Ave	Wells Fargo	8405 N Fresno St
State Center Credit Union	2550 Mariposa Mall	Wells Fargo	7014 N Cedar Ave
Tri Counties Bank	7020 North Marks Ave	Wells Fargo	4043 W Clinton Ave
Union Bank of California	2066 W Bullard Ave	Wells Fargo	710 E Shaw Ave
Union Bank of California	6666 N Cedar Ave	Wells Fargo	5750 N 1st St
Union Bank of California	565 E Shaw Ave	Wells Fargo	5642 E Kings Canyon
Union Bank of California	1458 Kern St	Wells Fargo	8420 N Friant
Union Bank of California	7108 N Fresno St	Wells Fargo	3556 E Ventura Ave
Union Bank of California	7075 N Marks Ave	Wells Fargo	2425 N Blackstone
Union Bank of California	3015 W Shaw Ave	Wells Fargo	2508 W Shaw Ave
Union Bank of California	5669 E Kings Canyon	Wells Fargo	6780 N Milburn Ave
Union Bank of California	1069 E Champlain	Westamerica Bank	2440 Tulare St
Union Bank of California	3750 W Shields Ave	Westamerica Bank	7032 N 1st St
United Local Credit Union	3650 E Ashlan Ave	Westamerica Bank	1172 E Shaw Ave
United Local Credit Union	1755 W Bullard Ave	Westamerica Bank	790 W Shaw Ave
United Security Bank	2151 W Shaw Ave	Westamerica Bank	2150 W Shaw Ave
United Security Bank	7088 N 1st St	Westamerica Bank	3006 W Bullard Ave
United Security Bank	1041 E Shaw Ave	Westamerica Bank	4635 W Spruce Ave

Source: Switchboard.com, Yahoo.com

Appendix 7: Photographs

Deterioration and Dilapidation



PHOTO 1
Dilapidated residence on Ivy Avenue.
APN 477 113 06
08660 KG



PHOTO 2
Dilapidated residence on Eunice Ave.
APN 477 113 05
08661 KG



PHOTO 3
Dilapidated residence with failing foundation on Stanislaus Street.
APN 467 166 15
08626 KM



PHOTO 4
Dilapidated residence on Eunice Avenue.
APN 477 114 23
08662 KG

Deterioration and Dilapidation



PHOTO 5
Dilapidated and collapsed building on A Street.
APN 458 230 24
8678 KG



PHOTO 6
Dilapidated residence with unpaved parking area on B Street.
APN 328 171 19
8630 KM



PHOTO 7
Dilapidate residence on B Street
APN 328 172 40
8631 KM



PHOTO 8
Deteriorated residence
APN 479 174 14
8638 KM

Deterioration and Dilapidation



PHOTO 9
Dilapidated residences on Belgravia Avenue.
APN 477 132 02
08654 KG



PHOTO 10
Dilapidated residence with asbestos shingle siding and no foundation.
APN 477 134 17
8650 KG



PHOTO 11
Dilapidated residence
APN 477 134 04
08614 KM



PHOTO 12
Dilapidated residence with failing foundation.
APN 467 166 14
08625 KM

Deterioration and Dilapidation



PHOTO 13
Dilapidated residence on San Joaquin Street.
APN 458 220 26
08710 KG



PHOTO 14
Dilapidated residence
APN 328 150 25
08724 KG



PHOTO 15
Dilapidated residence on Poppy Avenue.
APN 328 150 17
08732 KG



PHOTO 16
Deteriorated residence on Santa Clara Street.
APN 477 114 06
08665 KG

Deterioration and Dilapidation



PHOTO 17
Dilapidated residence on Belgravia Avenue.
APN 328 252 15
08741 KG



PHOTO 18
Dilapidated residence on Florence Avenue.
APN 328 252 12
08742 KG



PHOTO 19
Deteriorated residence on C Street.
APN 465 125 15
08694 KG



PHOTO 20
Dilapidated residence on Samson Avenue.
APN 328 150 13
8730 KG

Deterioration and Dilapidation



PHOTO 21
Deteriorated residence on Valencia Avenue.
APN 329 161 22
08748 KG



PHOTO 22
Dilapidated residence with asbestos shingle siding.
APN 478 134 15
08757 KG



PHOTO 23
Deteriorated residence on California Ave.
APN 478 201 12
1464 AY



PHOTO 24
Deteriorated residence on Banneker Avenue.
APN 478 144 21
1474 AY

Deterioration and Dilapidation



PHOTO 25
Dilapidated residence with tar paper roof and missing window on Inyo Street.
APN 464 192 05
0074 JL



PHOTO 26
Dilapidated residence with windows, siding and roofing in need of repair on Lorena Avenue.
APN 478 182 23



PHOTO 27
Dilapidated residence with a broken garage door and foundation in need of repair.
APN 478 240 29
1517 AY



PHOTO 28
Dilapidated residence on Lotus Avenue.
APN 464 121 33
08707 KG

Deterioration and Dilapidation



PHOTO 29
Dilapidated residence lacking a proper foundation and with walls in need of repair on Lorena Avenue
APN 478 182 24
1501 AY



PHOTO 30
Dilapidated residence with deteriorated roof and failing foundation on Calaveras Avenue.
APN 467 213 08
8627 KM



PHOTO 31
Dilapidated residence on Atchison Avenue.
APN 478 253 12
1504 AY



PHOTO 32
Dilapidated residence on Elm Avenue.
APN 478 311 23
1505 AY

Deterioration and Dilapidation



PHOTO 33
Dilapidated residence on Thorne Avenue.
APN 467 232 11
1518 AY



PHOTO 34
Dilapidated residence
APN 467 172 13
1527 AY



PHOTOS 35 and 36
Two of three dilapidated residences for sale on Lemon Avenue. Residence on the right is in need of repairs to the foundation.
APN 467 116 03

Deterioration and Dilapidation



PHOTO 37
Dilapidated residence on Elm Avenue.
APN 467 192 10
1543 AY



PHOTO 38
Dilapidated residence on Tupman Ave.
APN 465 172 08
1573 AY



PHOTO 39
Dilapidated residence on Oleander Ave.
APN 465 171 17
1577 AY



PHOTO 40
Dilapidated residence on C Street.
APN 465 174 06
1579 AY

Deterioration and Dilapidation



PHOTO 41
Dilapidated residence on North Avenue.
APN 467 155 04
1585 AY



PHOTO 42
Dilapidated residence.
APN 464 171 03
1614 AY



PHOTO 43
Dilapidated residence with asbestos shingle siding.
APN 464 142 19
1613 AY



PHOTO 44
Dilapidated residence
APN 464 080 09
1614 AY

Deterioration and Dilapidation



PHOTO 45
Dilapidated residence on Almy Ave.
APN 465 216 04
1566 AY



PHOTO 46
Dilapidated storage building on Thorne Avenue.
APN
8737 KG



PHOTO 47
Dilapidated residence with deteriorated siding and a foundation in need of repair.
APN 478 261 15
0028 JL



PHOTO 48
Dilapidated residence with foundation and exterior siding in need of repair on Ivy Avenue.
APN 478 133 15
0030 JL

Deterioration and Dilapidation



PHOTO 49
Dilapidated residence on Ivy Avenue.
APN 478 252 17
0031 JL



PHOTO 50
Dilapidated residence.
APN 478 065 09
0040 JL



PHOTO 67
Dilapidated residence with a porch of substandard construction, and cracks and holes in the exterior walls on Martin Luther King Jr. Boulevard.
APN 467 233 01
0043 JL



PHOTO 52
Dilapidated residence with a foundation in need of repair on Tupman Avenue.
APN 467 166 13
0046 JL

Deterioration and Dilapidation



PHOTO 53
Dilapidated residence with a foundation in need of repair
on Tupman Avenue.
APN 467 165 11
0047 JL



PHOTO 54
Dilapidated residence with foundation and retaining wall in
need of repair on Tupman Avenue.
APN 467 165 16
0050 JL



PHOTO 55
Dilapidated residence with foundation, roof and exterior
walls in need of repair.
APN 465 193 10
0071 JL



PHOTO 56
Dilapidated residence with asbestos siding, damaged walls
and foundation, and a substandard addition on C Street.
APN 464 191 06
0073 JL

Deterioration and Dilapidation



PHOTO 57
Dilapidated commercial building
APN 326 150 036
8740 KG



PHOTO 58
Deteriorated commercial/industrial building with open
storage and unpaved parking on Stanislaus Street.
APN 328 150 38
8723 KG



PHOTO 59 and 60
Dilapidated and obsolete mixed use (commercial and residential) building on Poppy Avenue.
APN 467 184 08
8715 and 8716 KG

Deterioration and Dilapidation



PHOTO 61 and 62
Dilapidated and obsolete industrial buildings on Tielman Avenue.
APN 328 211 28
8720 and 8721 KG



PHOTOS 63 and 64
Dilapidated and obsolete commercial buildings.
APN 328 150 10
8727 through 8729 KG

Boarded and Abandoned Buildings



PHOTO 65
Dilapidated commercial building.
APN 479 211 10
8746 KG



PHOTO 66
Dilapidated, abandoned commercial building on North
Avenue.
APN 467 246 01
1544 AY



PHOTO 67
Dilapidated, obsolete commercial building on Samson Ave.
APN 467 251 08
1545 AY



PHOTO 68
Dilapidated, obsolete commercial building with structural
problems (walls of the building appear to be leaning) on
Bardell Avenue.
APN 465 172 15
1574 AY

Boarded and Abandoned Buildings



PHOTO 69
Dilapidated residence on C Street.
APN 465 213 15
0067 JL



PHOTO 70
Dilapidated residence on Oleander Avenue.
APN 464 113 13
08704 KG



PHOTOS 71 and 72
Dilapidated, abandoned residence with holes in the foundation and adjacent failing retaining wall on Holly Avenue. A portion of the building has been demolished. Dilapidated structures are visible behind the building.
APN 458 230 01
08682, 08684 KG

Boarded and Abandoned Buildings



PHOTO 73
Dilapidate residence on Woodward Avenue.
APN 328 150 36
08739 KG



PHOTO 74
Dilapidated, boarded up residence on B Street.
APN 458 212 36
08686 KG



PHOTO 75
Dilapidated residence on Teilman Avenue.
APN 479 211 10
08744 KG



PHOTO 76
Dilapidated residence on Atchison Street.
APN 478 252 08
1502 AY

Boarded and Abandoned Buildings



PHOTO 77
Dilapidated, abandoned commercial building on Modoc St.
APN 4641 111 04
8709 KG



PHOTO 78
Deteriorated and obsolete commercial buildings on Whites-
bridge Avenue..
APN 329 161 46
8670 KG



PHOTO 79 and 80
Abandoned, dilapidated manufacturing facility. The building was occupied by squatters at the time of the field survey.
APN 477 054 11
8675 and 8676 KG



Boarded and Abandoned Buildings



PHOTO 81
Dilapidated, boarded-up residence on North Ave.
APN 478 181 07
1509 AY



PHOTO 82
Dilapidated, boarded-up apartments.
APN 478 066 05
1514 AY



PHOTO 83
Fire-damaged dilapidated residence
APN 478 083 32
1473 AY



PHOTO 84
Fire-damaged dilapidated residence on Lotus Ave.
APN 478 082 20
1480 AY

Boarded and Abandoned Buildings



PHOTO 85
Dilapidated, boarded-up residence.
APN 467 184 14
1521 AY



PHOTO 86
Deteriorated residence with foundation and roof in need of
repair on Elm Avenue.
APN 467 214 07
1541 AY



PHOTO 87
Dilapidated, boarded up residence on Fruit Avenue.
APN 465 191 05
1571 AY



PHOTO 88
Dilapidated residence on Holly Avenue.
APN 465 232 13
1563 AY

Boarded and Abandoned Buildings



PHOTO 89
Dilapidated, boarded up residence on Chandler Ave.
APN 464 192 14
1615 AY



PHOTO 90
Dilapidated, boarded up residence on Ivy Avenue.
APN 478 261 16
0027 JL

Vacant and Underutilized Parcels



PHOTO 91
Vacant/underutilized lot being used to store rusted vehicles.
APN 479 262 20
8669 KG



PHOTO 92
Vacant lot on Atchison Ave.
APN 478 083 38
1470 AY



PHOTO 93
Vacant lot on California Avenue.
APN 478 083 32
1473 AY



PHOTO 94
Vacant, underutilized property on California Ave.
APN 4780 083 37
1472 AY

Vacant and Underutilized Parcels



PHOTO 395 and 96

Illegal dumping that has occurred on a vacant lot on Tulare Street. Photo on the right is a close up of the dumped material at the rear of the property.

APN 465 193 03

1569 and 1570 AY



PHOTO 97

Vacant, underutilized property on Cobb Avenue.

APN 479 262 19

8668 KG



PHOTO 98

Vacant lot on Atchison Avenue.

APN 478 253 13

1503 AY

Vacant and Underutilized Parcels



PHOTO 99
Vacant property with dumping and debris on A Street.
APN 458 230 23
8683 KG



PHOTO 100
Vacant lot.
APN 467 156 02
1586 AY



PHOTO 101
Vacant lot with dumping at the rear of the property on Lily Avenue..
APN 477 124 18
8617 KM



PHOTO 102
Vacant lot on Geary Street.
APN 478 182 15
1498 AY

Vacant and Underutilized Parcels



PHOTO 103
Vacant lot on Elm Street.
APN 478 173 03
1508 AY



PHOTO 104
Vacant lot.
APN 467 301 54
1511 AY



PHOTO 105
Vacant lot.
APN 467 301 37
0037 JL



PHOTO 106
Vacant lot on Dorothy Street.
APN 465 251 05
1562 AY

Vacant and Underutilized Parcels



PHOTO 107
Vacant lot on Lemon Avenue.
APN 467 173 12
1528 AY



PHOTO 108
Vacant lot on C Street.
APN 465 174 02
1580 AY



PHOTO 109
Vacant lot.
APN 467 186 09
1520 AY



PHOTO 110
Vacant lot on San Joaquin Street.
APN 467 172 23
1525 AY

Vacant and Underutilized Parcels



PHOTO 111

APN 467 172 15
1526 AY



PHOTO 112

Vacant lot on Oleander Avenue.
APN 465 171 05
1576 AY



PHOTO 113

Vacant lot on Lemon Avenue.
APN 467 172 19
1530 AY



PHOTO 114

Vacant lot on Whitesbridge Avenue.
APN 467 172 21
1531 AY

Vacant and Underutilized Parcels



PHOTO 115
Vacant lot.
APN 465 174 01
1581 AY



PHOTO 116
Vacant lot on Almy Avenue.
APN 465 215 03
1565 AY



PHOTO 117
Vacant lot.
APN 465 172 02
1582 AY



PHOTO 118
Vacant lot on Amador St.
APN 467 114 02
1538 AY

Vacant and Underutilized Parcels



PHOTO 119
Vacant lot on A Street
APN 465 172 16
1575 AY



PHOTO 120
Vacant lot on Elm Street.
APN 465 215 02
1564 AY



PHOTO 121
Vacant lot on Fresno Street.
APN 465 171 14
1578 AY

Appendix 8: Draft 2010 – 2014 Implementation Plan

Redevelopment Agency of the City of Fresno

**MERGER NO. 2
MULTI-PROJECT
FIVE YEAR AB 1290 IMPLEMENTATION
PLAN
2010 - 2015**

July 2010

**MERGER NO. 2
MULTI-PROJECT
FIVE YEAR AB 1290
IMPLEMENTATION PLAN**

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1.0 INTRODUCTION

1.1 OVERVIEW

The Five Year AB 1290 Implementation Plan offers an overview of how the Redevelopment Agency of the City of Fresno (the "Agency") intends to utilize its financial resources over the next five years, and specifically, how these expenditures will serve to eliminate physical and economic blight in the redevelopment project areas (individually a "Project Area" and collectively the "Project Areas") covered in this Implementation Plan (hereafter the "Implementation Plan" or the "Plan"). The Plan requirements became California Law following the passage of Assembly Bill 1290 in 1993.

This Implementation Plan update includes two Redevelopment Project Areas in the Merger No. 2 Project Area which include the Fruit/Church and the South West Fresno Redevelopment Project Areas (the "Merger 2 Project Area" and "Constituent Project Areas").

The Implementation Plan plays an important role in Fresno's overall economic development strategy and provides an opportunity for the Agency to display its past successes, detail its current economic development incentive programs, and look toward the future in terms of addressing community needs. The Implementation Plan represents a valuable working document that will be a useful reference for the public in the years to come.

The Agency has realized the need to target economic development activities toward job growth, expansion and diversification of the tax base, business attraction and retention, revitalization of commercial and industrial areas, and the provision of affordable housing. Toward these ends, the Constituent Redevelopment Plans (individually "Redevelopment Plan" and collectively the "Constituent Redevelopment Plans") governing the individual Project Areas contain language pertaining to the achievement of specific economic development goals and objectives.

Redevelopment is most effective as an incentive to the extent that it can be fully integrated into a comprehensive community economic development strategy. The Agency's revitalization program exemplifies essential elements where business and government can actively work together toward the attainment of common economic development goals. The Agency's Five-Year Implementation Plan provides another important part, serving as a blueprint for long-term planning in this critical area.

1.2 REGULATORY REQUIREMENTS

These Implementation Plans meet the requirements of Section 33490 of the California Community Redevelopment Law, Health and Safety Code Sections 33000 et seq. (the "Law") added by adoption of Assembly Bill 1290 in 1993, and amended by Senate Bill 732 in 1994. Section 33352 requires that an implementation plan be included in the Report to Council when a redevelopment plan is adopted on or after January 1, 1994.

Thereafter, Section 33490 (b) requires that the redevelopment agency, for each implementation plan prepared pursuant to subdivision c) of Section 33352, for which the redevelopment plan was adopted, to adopt an implementation plan every five years beginning with the fifth year after the redevelopment plan was adopted. A redevelopment agency may adopt implementation plans that include more than one project area. This Implementation Plan is the fourth, five-year implementation plan for the Constituent Project Areas

Pursuant to Section 33490, this Implementation Plan presents:

- Agency goals and/or objectives for all Project Areas;
 - Agency specific programs, including potential projects with estimated expenditures planned for the next five years for each Project Area;
 - An explanation of how these goals, objectives, projects, and expenditures will eliminate blight in the Project Areas;
 - An explanation of how these specific goals, objectives, projects, and expenditures will increase and improve the supply of housing affordable to very low, low, and moderate income households, and
 - A housing program which identifies:
 - Current funds available in, and projected deposits to, the 20 percent set aside Housing Fund (the "Housing Fund");
 - The number of new, rehabilitated, or price-restricted housing units to be developed or purchased both over the life of the Plan and during the next ten years, and the number of such units of very low, low, and moderate income households required to be developed to comply with Section 33413(b)(2) of the Law;
 - Estimates of the number of Agency-developed units that will be developed during the next five years and will be governed by Section 33413(b)(1) of the Law, and the number of such units for very low, low, and moderate income households are included pursuant to Section 33333.10, when and if the Proposed Merger 2 Plan Amendments are approved and adopted;
 - How the Agency will meet its housing responsibilities for the Redevelopment Plans that are within six years of the time limit on the effectiveness of the Redevelopment Plan;
 - Status of the Agency's obligations for the provision of replacement housing; further, estimates of the future obligations for fulfilling housing production (inclusionary) requirements are included pursuant to Section 33333.10, when and if the Proposed Merger 2 Plan Amendments are adopted;
- Proposed locations for replacement housing the Agency may be required to produce if a redevelopment implementation project will result in destruction or removal of existing affordable housing.

The Project Area Boundaries are shown on Figure 1 in Chapter III of the Preliminary Report. Tax increments for all of the Agency's Project Areas for FY 2009-2010 are shown in the following Table 1-1. A complete list of revenues for all of the Agency's Project Areas for the past five years is contained in Attachment A to this Implementation Plan.

Table 1-1: Tax Increments and Housing Set Asides for all Project Areas (2009-2010)

Project	Total Tax Increment	Admin Fees	Pass Thru Amts	SERAF Payment	Net Incr Received	Housing Set Aside @20 percent	Net Increment After 20 percent HS
CBD	\$911,412.44	\$12,348.56	\$133,806.46	\$310,786.86	\$454,470.56	\$182,282.49	\$272,188.07
Fruit Church	543,525.46	7,445.56	34,216.38	161,758.70	340,104.82	108,705.09	231,399.73
Mariposa	1,195,826.62	17,045.56	88,858.14	449,628.95	640,293.97	239,165.32	401,128.65
Southwest Fresno	3,116,891.36	52,985.56	239,214.72	1,121,261.68	1,703,429.40	623,378.27	1,080,051.13
West Fresno #1	236,435.84	3,365.56	12,370.34	77,898.26	142,801.68	47,287.17	95,514.51
West Fresno #2	980,758.48	13,716.56	19,829.74	343,051.34	604,160.84	196,151.70	408,009.14
Convention Center	1,023,132.90	14,263.56	83,692.26	351,268.31	573,908.77	204,626.58	369,282.19
Jefferson	558,748.02	9,482.56	37,325.18	213,994.25	297,946.03	111,749.60	186,196.43
Chinatown	128,774.42	2,842.56	2,840.68	64,204.97	58,886.21	25,754.88	33,131.33
West Fresno Rehab	71,616.70	35.56	7,674.24	16,463.62	47,443.28	14,323.34	33,119.94
Air Terminal	235,720.74	6,704.02	82,915.42	52,550.06	93,551.24	47,144.15	46,407.09
Roeding Bus Park	895,184.30	15,869.02	169,300.10	278,216.43	431,798.75	179,036.86	252,761.89
South Van Ness	544,402.52	6,527.56	77,637.38	86,885.58	373,352.00	108,880.50	264,471.50
Fulton	590,271.22	6,403.02	105,762.90	165,751.08	312,354.22	118,054.24	194,299.98
Airport Area	2,695,249.06	33,404.02	539,099.02	855,910.12	1,266,835.90	539,049.81	727,786.09
Southeast Fresno	3,024,016.96	43,537.02	604,839.64	768,664.54	1,606,975.76	604,803.39	1,022,172.37
South Fresno Ind	1,770,279.80	24,464.02	354,055.94	425,070.19	966,689.65	354,055.96	612,633.69
Central City	1,085,151.46	15,140.56	150,633.06	265,938.49	653,439.35	217,030.29	436,409.06
Corr 99/Gold State	2,445,312.18	41,032.02	345,569.90	726,898.57	1,331,811.69	489,062.44	842,749.25
Total	\$22,052,710.48	\$326,612.86	\$3,089,641.50	\$6,736,202.00	\$11,900,254.12	\$4,410,542.10	\$7,489,712.02

2.0 MERGER NO. 2 IMPLEMENTATION PLAN

2.1 INTRODUCTION

The Merger No. 2 Project Area includes the Fruit/Church and the Southwest Fresno (aka, "Southwest Fresno GNRA") Constituent Project Areas.

Fruit/Church: The Fruit Church Redevelopment Project Area incorporates 143 acres generally bounded by California, Fruit, Church and West Avenues, except for a portion adjacent to Fruit Avenue and south of Old Church Road. The Project Area was adopted in October 1971.

Southwest Fresno: The Southwest Fresno Project Area covers approximately 1,800 acres and is generally bounded by the proposed Freeway 180 on the north, South Fruit Avenue on the west, Freeway 99 on the east, and Church Avenue on the south. It also includes a corridor extending south from Church Avenue along Elm Avenue to the North Central Canal. The Project Area was adopted in January 1969.

A Table containing the current Time and Financial limits and the Time and Financial limits as proposed for amendment in the Proposed Merger No. 2 Plan Amendments is contained in Table 2 in Chapter II of the Preliminary Report.

2.2 SUMMARY OF BLIGHTING CONDITIONS

A description of the Significant Remaining Blight is contained within Chapter IV, Subsections C., D., and E of the Preliminary Report.

2.3 GOALS AND OBJECTIVES

The goals and objectives of the Merger No. 2 Project are described in Chapter II, Section C., of the Preliminary Report.

2.4 RECENT REDEVELOPMENT ACCOMPLISHMENTS

A description of the Agency's recent redevelopment accomplishments during the previous five years of the Implementation Plan are contained in Chapter III, Section F. of the Preliminary Report.

2.5 PROGRAMS AND PROJECTS

A description of the Agency's Programs and Projects is contained within Chapter V, Section A., of the Preliminary Report.

Financing Methods Available to the Agency

Based on the projections in Table 2-1 of this Implementation Plan, the Agency will have sufficient income to support planning, Agency administration, and program implementation in the next five years of the proposed Implementation Plan's Redevelopment Program. In years 20010-2015, the Agency is projected to have approximately \$19,644,451 in net tax increments (after pass-through payments and housing set-aside funds). The Agency will use approximately 50 percent of these funds for the Project Area Improvements Program. Approximately 20% of these funds will be used for the Land Assembly Program. Approximately 20% of these funds will be used for the Business Revitalization and Attraction Program. The remaining 10% will be utilized for the Administration and Planning Program. A description of the Agency's Programs and Projects is contained within Chapter V., Section A. and B., of the Preliminary Report.

The Implementation Plan is prepared with the intent of providing the Agency with the necessary

legal authority and flexibility to implement the revitalization of the Merger 2 Project. The Plan authorizes the Agency to finance the Project with financial assistance from any or all of the following sources: (1) City of Fresno; (2) State of California; (3) federal government; (4) tax increment funds in accordance with provisions of the Law; (5) Agency bonds; (6) interest income; (7) loans from private financial institutions; (8) lease or sale of Agency-owned property; (9) donations; and (10) any other legally available public or private sources.

Current provisions of the Law provide authority to the Agency to create indebtedness, issue bonds, borrow funds or obtain advances in implementing and carrying out the specific intents of a redevelopment plan. The Agency is authorized to fund the principal and interest on the indebtedness, bond issues, borrowed funds or advances from tax increment revenue and any other funds available to the Agency. To the extent that it is able to do so, the City may also supply additional assistance through City loans or grants for various public facilities or other project costs.

Potential revenue sources to fund project costs, as assumed in the economic feasibility cash flow, include, but are not limited to, the following: (1) tax increment revenues; (2) proceeds from tax allocation bonds; (3) land sale and lease proceeds and (4) interest earnings. The estimated resources available to finance the proposed redevelopment programs are summarized in the following Table 2-2.

Table 2-2 Proposed Five-Year Program Funds and Expenditures

Administration and Planning	\$ 1,964,446
Land Assembly	3,928,890
Project Area Improvements	9,822,225
Business Revitalization and Attraction	<u>3,928,890</u>
Subtotal for Non-Housing Programs	\$19,644,451
Subtotal for Housing Programs	<u>5,540,000</u>
TOTAL AGENCY PROGRAM EXPENDITURES	\$25,184,451

Funds for the programs are anticipated as follows:

Tax Increment (estimated carryover)	\$ 5,615,347
New Tax Increment	11,804,104
Sale, Lease, and Loan Proceeds	<u>2,225,000</u>
Subtotal for Non-Housing Programs	\$19,644,451
Subtotal for Housing Programs	<u>5,540,000</u>
TOTAL AGENCY FUNDS AVAILABLE	\$25,184,451

2.6 HOW THE PROJECTS AND PROGRAMS WILL ELIMINATE REMAINING BLIGHT

A description is contained within Chapter V. Section B., and further described in Table 24: "Blighting Conditions and the Projects and Programs to Alleviate Blight", in Chapter V. Section B of the Preliminary Report.

3.0 AFFORDABLE HOUSING PROGRAM

- 3.1 OVERVIEW** - This chapter will address the requirements of California Redevelopment Law (CRL) pertaining to the use of the Low and Moderate Income Housing Fund (the "Housing Fund") for the Merger No. 1 Redevelopment Project Areas.

Section 33490 (a)(2) requires that Implementation Plan's Affordable Housing Program contain the following components:

- (A) A portion of the implementation plan shall address the agency housing responsibilities and shall contain a section addressing Project Areas amended pursuant to Section 33333.10, if applicable, and Sections 33334.2, 33334.4, and 33334.6, the Low and Moderate Income Housing Fund, and, if subdivision (b) of Section 33413 applies, a section addressing agency developed and project area housing. The section addressing the Low and Moderate Income Housing Fund shall contain:
- (i) The amount available in the Low and Moderate Income Housing Fund and the estimated amounts which will be deposited in the Low and Moderate Income Housing Fund during each of the next five years.
 - (ii) A housing program with estimates of the number of new, rehabilitated, or price restricted units to be assisted during each of the five years and estimates of the expenditures of moneys from the Low and Moderate Income Housing Fund during each of the five years.
 - (iii) A description of how the housing program will implement the requirement for expenditures of moneys in the Low and Moderate Income Housing Fund over a 10-year period for various groups as required by Section 33334.4. For project areas to which subdivision (b) of Section 33413 applies, the 10-year period within which Section 33334.4 is required to be implemented shall be the same 10-year period within which subdivision (b) of Section 33413 is required to be implemented. Notwithstanding the first sentence of Section 33334.4 and the first sentence of this clause, in order to allow these two 10-year time periods to coincide for the first time period, the time to implement the requirements of Section 33334.4 shall be extended two years, and project areas in existence on December 31, 1993, shall implement the requirements of Section 33334.4 on or before December 31, 2014, and each 10 years thereafter rather than December 31, 2012. For project areas to which subdivision (b) of Section 33413 does not apply, the requirements of Section 33334.4 shall be implemented on or before December 31, 2014, and each 10 years thereafter.
 - (iv) This requirement to include a description of how the housing program will implement Section 33334.4 in the implementation plan shall apply to implementation plans adopted pursuant to subdivision (a) on or after December 31, 2002.
- (B) For each project area to which subdivision (b) of Section 33413 applies, the section addressing the agency developed and project area housing shall contain:
- (i) Estimates of the number of new, substantially rehabilitated or price restricted residential units to be developed or purchased within one or more project areas, both over the life of the plan and during the next 10 years.

(ii) Estimates of the number of units of very low, low-, and moderate- income households required to be developed within one or more project areas in order to meet the requirements of paragraph (2) of subdivision (b) of Section 33413, both over the life of the plan and during the next 10 years.

(iii) The number of units of very low, low-, and moderate-income households which have been developed within one or more project areas which meet the requirements of paragraph (2) of subdivision (b) of Section 33413.

(iv) Estimates of the number of agency developed residential units which will be developed during the next five years, if any, which will be governed by paragraph (1) of subdivision (b) of Section 33413.

(v) Estimates of the number of agency developed units for very low, low-, and moderate-income households which will be developed by the agency during the next five years to meet the requirements of paragraph (1) of subdivision (b) of Section 33413.

(C) The section addressing Section 33333.10, if applicable, and Section 33334.4 shall contain all of the following:

(i) The number of housing units needed for very low income persons, low- income persons, and moderate-income persons as each of those needs have been identified in the most recent determination pursuant to Section 65584 of the Government Code, and the proposed amount of expenditures from the Low and Moderate Income Housing Fund for each income group during each year of the implementation plan period.

(ii) The total population of the community and the population under 65 years of age as reported in the most recent census of the United States Census Bureau.

(iii) A housing program that provides a detailed schedule of actions the agency is undertaking or intends to undertake to ensure expenditure of the Low and Moderate Income Housing Fund in the proportions required by Section 33333.10, if applicable, and Section 33334.4

(iv) For the previous implementation plan period, the amounts of Low and Moderate Income Housing Fund moneys utilized to assist units affordable to, and occupied by, extremely low income households, very low income households, and low-income households; the number, the location, and level of affordability of units newly constructed with other locally controlled government assistance and without agency assistance and that are required to be affordable to, and occupied by, persons of low, very low, or extremely low income for at least 55 years for rental housing or 45 years for homeownership housing, and the amount of Low and Moderate Income Housing Fund moneys utilized to assist housing units available to families with children, and the number, location, and level of affordability of those units.

Section 33490 (a)(3) requires that the Implementation Plan's Affordable Housing Program contain the following:

If the implementation plan contains a project that will result in the destruction or removal of dwelling units that will have to be replaced pursuant to subdivision (a) of Section 33413, the implementation plan shall identify proposed locations suitable for those replacement dwelling

units.

Section 33490 (a)(4) requires that the Implementation Plan's Affordable Housing Program contain the following:

For a project area that is within six years of the time limit on the effectiveness of the redevelopment plan established pursuant to Section 33333.2, 33333.6, 33333.7 or 33333.10, the portion of the implementation plan addressing the housing responsibilities shall specifically address the ability of the agency to comply, prior to the time limit on the effectiveness of the redevelopment plan, with subdivision (a) of Section 33333.8, subdivision (a) of Section 33413 with respect to replacement dwelling units, subdivision (b) of Section 33413 with respect to project area housing, and the disposition of the remaining moneys in the Low and Moderate Income Housing Fund.

3.2 LOW AND MODERATE INCOME HOUSING FUND

Table 3-1 shows housing set-aside accumulations for the past five years in all of the Agency's Redevelopment Project Areas.

Table 3-1: Housing Fund – All Project Areas, FY 2005 - 06 thru FY 2009 - 10

<u>Year</u>	<u>20 Percent Housing Set-Aside</u>
2005-2006	\$ 2,953,782.24
2006-2007	\$ 3,509,427.27
2007-2008	\$ 4,220,372.58
2008-2009	\$ 4,428,784.73
2009-2010	\$ 4,410,542.10
TOTAL	\$ 19,522,908.92

As shown in Table 1-1, the two Project Areas in Merger No. 2 contributed \$732,083.36 or 16.6% of the total Housing Fund contribution of \$4,410,542.10 in FY 2009-2010.

In the following Table 2-1 are estimates that the Merger No. 2 Project Areas will contribute a total of \$5,540,000 over the next five years to the Housing Fund, an average increase of \$112,000 per year. The increased contribution rate of 30% by the proposed Merger No. 2 Plan Amendments for the two Constituent Project Areas would be effective starting in FY 2011-12, if the Proposed Merger No. 2 Plan Amendments are adopted, and are shown in the following Table 2-2. Over the five-year Implementation Plan period, the Southwest Fresno Constituent Project Area is the largest contributor from the Merger No. 2 Project Areas to the Housing Fund, accounting for nearly 85 percent of the total Merger No. 2 Set-aside Funds.

Table 2-1: Projected Tax Increments and Housing Set Aside Fund for FY 2010-11 thru FY 2014-15

NET TAX INCREMENTS¹							
	2009-10 Estimated	2010-11	2011-12	2012-13	2013-14	2014-15	Total 5-yr
Merger 2 Project Area							
Fruit-Church	\$388,000	\$353,729**	\$346,000	\$358,000	\$370,000	\$380,000	\$1,807,729
SW Fresno GNRA	\$2,129,000	\$1,915,375**	\$1,911,000	\$1,985,000	\$2,061,000	\$2,124,000	\$9,996,375
Total	\$2,517,000	\$2,269,104**	\$2,257,000	\$2,343,000	\$2,431,000	\$2,504,000	\$11,804,104
HOUSING SET ASIDE @20 percent & 30 percent**							
Merger 1 Project Area							
Fruit-Church	\$109,000	\$109,000	\$169,000*	\$176,000*	\$183,000*	\$191,000*	\$828,000
SW Fresno GNRA	\$614,000	\$613,000	\$960,000*	\$1,002,000*	\$1,046,000*	\$1,091,000*	\$4,712,000
Total	\$723,000	\$722,000	\$1,129,000*	\$1,178,000*	\$1,229,000*	\$1,282,000*	\$5,540,000

¹ Net of administration fees, pass-through payments, housing set aside, and **SERAF Payment.

**Housing Set-Aside at 30%

3.3 PROPOSED AFFORDABLE HOUSING PROGRAM

Over the next five years, the Agency plans to implement the following Merger No. 2 Housing Program with projects involving a range of new housing construction, substantial rehabilitation (involving large site developments and infill sites), mixed use housing, and neighborhood infill involving primarily single family dwellings, as well as several multi-family projects in order to further the goals for revitalization of the Constituent Project Areas in Merger No. 2.

Proposed Affordable Housing Projects

Sequoia Village/EAH Housing - Through a negotiated agreement with Sequoia Health, the Agency received 7.5 acres of vacant land on Annadale Avenue, just west of Elm Avenue. In FY 07/08, the Agency issued a Request for Proposals for a potential housing development on the property. The Agency Board approved the Agency's selection of EAH Housing and the Agency entered into an ENA with EAH on November 16, 2008.

Agency staff has worked with the Developer to coordinate pre-planning activities with City staff including preparation of the entitlement application. During the time the project Site Plan application was submitted to the City, the Developer had an opportunity to acquire the sole single family home within the project footprint that caused the project site to be very inefficient and irregular. The acquisition occurred in October, 2009 with Agency financial assistance. The Agency will receive title to the property from EAH if the project does not move forward. The acquisition has prompted a redesign and amended entitlement application; acquisition of the single family home and a reworking of the project financing in anticipation of submitting a 9% LIHTC application are still necessary.

The project would address the demand for needed senior housing. The development would also be the first PACE (Program of All-inclusive Care for the Elderly) in the Central Valley. EAH has incorporated the PACE component into this project and is currently evaluating its project feasibility.

In April, 2010 EAH provided additional information to the Agency regarding their entitlement and financing status. The project faces significant challenges due to the inability to secure either Prop 1C (Urban Infill Grant) funds or Project-based Section 8 vouchers from the Housing Authority. In response, EAH now contemplates dividing the project into two separate projects – a family and a senior project – and undertaking separate design, entitlement, and financing tracks for either in

order to make the gap financing affordable to the Agency and to increase its chances for full tax credit fund through the competitive application rounds.

Given the current tax credit funding environment, EAH contemplates that the development of this project would be done in phases over the next several years, segregating the senior housing project from the family project. One of the conditions of approval of the project, required by the City, is to construct a domestic water well to support the development of the housing project. EAH wants support to push that requirement until the development of the second phase, senior housing. The funds requested would support the pre-development activities of both phases of the project, at \$497,830 for the senior project and \$497,780 for the family project.

Southwest Fresno Infill Housing - California Triangle - The Agency and Housing Authority partners have nearly completed the acquisition of properties in the project area referred to as the California Triangle, an area bounded by Kern, Waterman and California Streets within the Southwest Redevelopment Area. All residents in this area were relocated to improved housing. The project site consists of approximately three acres divided into a number of parcels. The Housing Authority completed acquisition of a property at 864 S. Klette Street in June 2008, and the house is slated to be relocated to another infill lot in the neighborhood, then rehabilitated and sold to a low-moderate income family. A local non-profit will use the house as a training lab for their construction trade students.

Two parcels in the original footprint remain to be acquired. These have clouded title issues as there are various claims of ownership. As of this date, the Housing Authority has approval from three of the four owners and is searching for the final owner on one of the parcels. They expect to have acquisition completed in 2010. In addition, the Housing Authority is acquiring the former County Library property in the California Triangle from Fresno County, with the Housing Authority taking the lead in the documents on behalf of the Agency.

In addition to the property acquisition, the Agency has budgeted funds for California Avenue improvements from Martin Luther King Boulevard to Walnut Avenue in connection with the California Triangle Project.

Once all of the acquisition is complete, the Agency will publish a Request for Qualifications (RFQ) seeking developers for a mixed-use or mixed-income project.

Edison Plaza Partners, LLC - Through a Request for Proposals process, the Agency Board selected Edison Plaza Partners, LLC to develop a 20 acre site in Southwest Fresno, just west of Edison High School. The project was to be in two phases: in February 2010 the developer completed the first phase with the opening of the One Stop Center, a County Library and human services center, on the first 10 acres. They have proposed a total of 280 large-family (3- and 4 bedroom) units on the remaining 10 acres, with the first half of that (140 units) proposed for entitlement and financing in Fiscal Year 2010-11. The developer has proposed the use of tax-exempt bonds and 4% Low Income Housing Tax Credits, due to the extremely competitive environment statewide for the more attractive 9% Tax Credits.

This mechanism would leave the project with a \$50,000 per-unit gap to be filled with local (Agency) funds. That will result in a request for approximately \$7,000,000 in Agency assistance for the first 140 units, plus construction by the Agency of the off-site improvements, as was done for the first phase project (the One Stop Center).

Additionally, the project will also contain a new 11,000 s.f. Head Start building to be leased to the EOC, the operator of the Head Start program.

Habitat for Humanity -- Habitat for Humanity Fresno was awarded funds in 2010 from Habitat International to hire a Neighborhood Stabilization Programs Coordinator. International wants affiliates to be more focused on new house construction as a part of overall neighborhood revitalization i.e. multiple unit new house as the centerpiece supported by near-by new house in-fill, minor rehabilitation along with other community development work like community gardens, community centers, etc. South Clara Estates was what they want to do in future projects also. Habitat has requested from the Agency \$15,000 per lot for four lots on Almy Street in Southwest Fresno. These homes would be added to their efforts in South Clara Estates. They would want to build these lots at the end of 2011 or early 2012 but would need to purchase them in 2010 to prepare them for construction.

Housing Authority Contract/Community Housing Partnership Program (CHPP) - The Agency's multi-year Community Housing Partnership Program (CHPP) agreement with the Housing Authorities of the City and County of Fresno provides for minor and major rehabilitation of low- and moderate-income, owner-occupied housing in designated target areas of the City. Several contract amendments have expanded target areas and increased the funding for aggressive programs to attack blight caused by boarded-up houses and neglected vacant land. Since July 2000, 1,643 homes have received minor and major rehabilitation and, from boarded up or vacant lots, approximately 25 homes have been built or reconstructed to provide infill housing. In FY 09/10, it is expected that approximately 62 homes will have been rehabilitated and two reconstructed.

1511 and 1515 "B" Street -- The CHPP acquired lots at 1511 and 1515 "B" Street in southwest Fresno. The process to create two parcels has been completed. The timing for development will be influenced by market conditions.

Following in Table 3-2 are estimated Housing Expenditures and estimated Housing Development Units for the Agency's Proposed Affordable Housing Program for each of the five years of the proposed Implementation Plan for FY 2010-11 thru FY 2014-15.

Table 3-2 Five-Year Affordable Housing Program Funds and Estimated Housing Development

MERGER NO 2 FIVE-YEAR AFFORDABLE HOUSING PROGRAM FUNDS AND ESTIMATED HOUSING DEVELOPMENT						
	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15	TOTAL
HOUSING PROGRAM						
Housing Expenditures						
*New Construction, *Adaptive Reuse, *Substantial Rehab.						
Minor Rehabilitation	\$722,000	\$1,129,000	\$1,178,000	\$1,229,000	\$1,282,000	\$5,540,000
Estimated Housing Units	20 - 32 units	52 - 67 units	53 - 68 units	55 - 70 units	56 - 71 units	236 - 308 units
HOUSING FUND DEPOSITS	\$722,000	\$1,129,000	\$1,178,000	\$1,229,000	\$1,282,000	\$5,540,000
*45 Year Covenants for Owner-Occupied Housing and 55 Year Covenants for Rental Housing						

3.4 AFFORDABLE HOUSING PROGRAM COMPLIANCE OBJECTIVES

3.4.1 REPLACEMENT HOUSING REQUIREMENTS

Redevelopment Law Section 33413 (a) requires agencies to construct or cause the construction of housing to replace each unit destroyed or removed from the low and moderate income housing market. All project areas adopted after 1975, and since 1986, all project areas adopted prior to 1975, must meet the replacement housing requirements.

- A redevelopment agency may replace the dwelling units by, or cause the replacement by, major rehabilitation of existing housing units or the construction of new housing units. The Agency's role may range from a major funding contribution to a replacement housing project, to purchasing affordability covenants.
- Affordability for all replacement housing units has and will be reserved, for the time period required by law, through covenants placed on the rehabilitated or constructed units secured through Owner Participation Agreements, Disposition and Development Agreements, or other agreements for acquisition or donation of affordability covenants.
- Replacement units must equal in number, and must have bedrooms equal to or greater in number than, the dwelling units destroyed or removed.
- When dwelling units are destroyed or removed after January 1, 2002, the replacement

units must also be affordable to and occupied by the same income level of households as the destroyed or removed units. However, a lower income category than the destroyed or removed unit may be substituted (i.e., a Very Low Income unit may replace a Low Income or Moderate Income unit, and a Low Income unit may replace a Moderate Income unit, but not vice-versa).

The Agency must require that the replacement units remain available at affordable housing costs, and remain occupied by, low and moderate income families for the longest feasible time, but not less than 55 years for rental units and 45 years for owner occupied units. In certain instances an agency may permit sales of owner occupied units before the expiration of the 45 year affordability period.

Status of Redevelopment Agency Replacement Housing Obligations

Replacement Housing Plan for Hope VI Residential And Commercial Mixed Use Project -

On November 29, 2005, the Agency adopted Resolution No. 1667, approving the Replacement Housing Plan for the Hope VI Residential and Commercial Mixed Use Project. This involved the proposed demolition of 15 existing dwelling units (42 bedrooms). Nine of the dwelling units (28 bedrooms) were occupied by very low income households. Four of the dwelling units (8 bedrooms) were occupied by low income households. Two of the dwelling units (6 bedrooms) were occupied by moderate income households.

Demolition of 14 dwelling units was completed by July 2007. Compliance with the requirements for replacement of eight units (37 bedrooms) of very low income housing; four units (8 bedrooms) of low income housing; and two units (6 bedrooms) of moderate income housing were met through the use of 15 units of Major Rehabilitation resources from the MLK Square Housing Project in the Southwest Fresno Project Area. MLK Square was issued a Certificate of Completion on January 11, 2008. The replacement bedrooms included 20 bedrooms of extremely low income housing and 19 bedrooms of very low income housing.

Demolition of 1 unit (3 bedrooms) of very low income housing was completed in June 2008. Compliance with the requirement for replacement housing was met through the construction of 1 unit of new housing (4 bedrooms) on a infill property located within the Southwest Fresno Project Area that was sold to a very low income family in May 2009.

California Triangle Replacement Housing Plan – On October 3, 2006, the Redevelopment Agency adopted Resolution No. 1685 approving the California Triangle Replacement Housing Plan. This involved the proposed demolition/removal from the low and moderate income market of ten existing dwelling units (42 bedrooms). Four of the dwelling units (11 bedrooms) were occupied by extremely low income households. Four of the dwelling units (10 bedrooms) were occupied by very low income households. Two of the dwelling units (5 bedrooms) were occupied by low income households.

Compliance with the requirements for replacement of the ten dwelling units were met through the use of 10 units of Major Rehabilitation resources from the MLK Square Housing Project in the Southwest Fresno Project Area. MLK Square was issued a Certificate of Completion on January 11, 2008. The replacement bedrooms included 11 bedrooms of extremely low housing, 10 bedrooms of very low income housing, and 5 bedrooms of low income housing.

Replacement Housing Plan for 2304 South Walnut – On January 29, 2008, the Agency adopted a

Replacement Housing Plan for 2304 South Walnut for a vacant, Very Low Income dwelling unit (3 bedrooms). The property has not been demolished to date, but within four years of its demolition, the Agency will be required to replace the dwelling with at least 3 bedrooms in the very low income or lower income range.

Except for the dwelling unit at 2304 South Walnut, that has not yet been demolished, all of the Agency's replacement housing obligations described above have been met within the four-year time period, and all low and moderate income category bedrooms have been replaced with the same income category, or with an income category lower than that which was destroyed or removed.

3.4.2 HOUSING PRODUCTION (INCLUSIONARY) REQUIREMENTS

Both of the Constituent Plans in Merger 2 (Fruit/Church and Southwest Fresno) were adopted prior to 1977, and therefore, have not been subject to the provisions of Section 33413 (b)(4). Consequently there are no Housing Production obligations to report during the previous five year Implementation Plan period.

However, both of the Constituent Plans are being proposed to be updated pursuant to Section 33333.10. Therefore, when and if the plan amendment ordinances for the Fruit/Church and Southwest Fresno Constituent Project Areas are effective, a 10 year time period for meeting the Housing Production requirements would start.

Future Application of Housing Production Requirements

For the purposes of the draft Five Year Implementation Plan in the following analysis, projections are made for what the Housing Production requirements would be for an estimated 10 year time period starting in November 2010, and projections are also made for the Housing Production requirements to the duration of the two Constituent Project Areas.

Housing Production Requirements - Section 33413(b)(1), when it would become applicable, requires that at least 30 percent of all new or rehabilitated units developed within the project area by the Agency itself are available at affordable costs to households of very low (up to 50 percent of area median income), low (51 percent-80 percent of area median income), or moderate (81 percent-120 percent of area median income). Of this 30 percent, not less than 50 percent are required to be available at affordable costs to very low-income households.

Section 33413(b)(2), when it would become applicable, requires that at least 15 percent of all new or substantially rehabilitated units developed within each project area by persons or entities other than an agency be made available at affordable costs to low or moderate income households. Of this 15 percent, not less than 40 percent of the units are required to be available at affordable costs to very low-income households. These requirements are applicable to housing units as aggregated and not on a case-by-case basis to each dwelling unit created or rehabilitated unless so required by an agency. The requirements include:

a. Requirements For Housing Not Developed by the Agency:

At least 15 percent of new or rehabilitated dwelling units developed or substantially rehabilitated must be available at affordable housing cost to very low (50 percent or less of median), low (51 percent to 80 percent of median), and moderate (81 percent to 120 percent of median) income households.

Of those units, at least 40 percent must be affordable to very low income households (i.e., 40

percent of 15 percent = 6 percent).

b. Requirements For Housing Developed Directly by the Agency:

At least 30 percent of new or rehabilitated dwelling units developed directly by a redevelopment agency must be available at affordable housing cost to very low (50 percent of less of median), low (51 percent to 80 percent of median), and moderate (81 percent to 120 percent of median) income households.

Of those units, at least 50 percent must be affordable to very low income households (i.e., 50 percent of 30 percent = 15 percent).

This requirement for Agency-developed housing does not apply to units developed by housing developers pursuant to agreements with an agency. Therefore, this requirement is seldom applied, as most redevelopment agencies do not act as a housing developer.

c. Substantially Rehabilitated Dwelling Units

Substantially rehabilitated dwelling units means all units substantially rehabilitated with Agency assistance.

d. Agency Alternatives for Meeting Housing Production Plan Obligations

The Agency may "cause" low and moderate income housing to be available, by regulation or agreement. An example of a regulatory approach, would be where an agency would work with its City to seek the adoption of a "Inclusionary Housing" Ordinance, which may involve "in-lieu" fees to provide developers with more alternatives to meet obligations. An example of an approach using agreements would include, for example, Development and Disposition Agreements, and Owner Participation Agreements.

Two-for-One Alternative - Instead of providing units within a project area, the Agency may cause affordable housing to be available outside a project area, inside another project area, by regulation or agreement.

Aggregation between Project Areas - Instead of providing units within a particular redevelopment project area, the Agency may aggregate the responsibility in one or more Project Areas, if appropriate findings are made that the aggregation will not cause or exacerbate racial, ethnic, or economic segregation.

Purchase of Affordability Covenants - An agency may purchase or acquire long-term affordability covenants, but they cannot be used to satisfy more than 50 percent of the dwelling units required to meet the Housing Production obligations.

Section 33413 (b)(4) requires agencies to adopt an affordable housing production plan to meet the requirements of Section 33413 mentioned above for each Project Area. The production plan must be consistent with the Fresno General Plan Housing Element and must also be reviewed at least every two years in conjunction with either the cyclical preparation of the Housing Element or Implementation Plan cycle to ensure that the requirements are met every 10 years.

Projected Agency Housing Production Obligations

Fruit/Church Project Area

Fruit/Church (Projected Nov 2010 – Nov 2020)

- Agency Assisted New Construction – 45 Affordable Units (25 Very Low units, 20 Low and Moderate units)
- Non-Agency New Construction – 4 units
- Total Agency Housing Production Obligations for 10 year Time Period
 - 49 units x 6% = 3 units of Very Low Income Housing
 - 49 units x 9% = 4 units of Low and Moderate Income Housing

The Agency estimates that during the 10 year Housing Production Period for the Fruit/Church Project Area there will be a net surplus of 22 units of Very Low Income Housing and 16 units of Low and Moderate Income Housing, which can be applied to Agency Housing Production Obligations for the Project Area for the next 10 Year Period or to the obligations of another Redevelopment Project Area.

Fruit/Church (Projected to Plan Duration Nov 2020 – Oct 7, 2024)

- Agency Assisted New Construction – 18 Affordable Units
- Non-Agency New Construction – 4 units
- Total Agency Housing Production Obligations to Plan Duration Time Period
 - 22 units x 6% = 1 unit of Very Low Income Housing
 - 22 units x 9% = 2 units of Low and Moderate Income Housing

Southwest Fresno Project Area

Southwest Fresno (Projected Nov 2010 – Nov 2020)

- Agency Assisted New Construction – 630 Affordable Units (301 Very Low units, 328 Low and Moderate units)
- Agency Assisted Substantial Rehabilitation – 100 Affordable Units (20 Very Low units, 80 Low and Moderate units)
- Non-Agency New Construction – 350 units
- Total Agency Housing Production Obligations for 10 year Time Period
 - 1,080 units x 6% = 65 units of Very Low Income Housing
 - 1,080 units x 9% = 97 units of Low and Moderate Income Housing

The Agency estimates that during the 10 year Housing Production Period for the Southwest Fresno Project Area there will be a net surplus of 256 units of Very Low Income Housing and 311 units of Low and Moderate Income Housing, which can be applied to Agency Housing Production Obligations over the next 10 Year Period or to the obligations of another Redevelopment Project Area.

Southwest Fresno (Projected to Plan Duration Nov 2020 – Jan 14, 2022)

- Agency Assisted New Construction – 65 Affordable Units (30 Very Low units, 35 Low and Moderate units)
- Agency Assisted Substantial Rehabilitation – 12 units
- Non-Agency New Construction – 40 units

- Total Agency Housing Production Obligations to Plan Duration Time Period
 117 units x 6% = 7 units of Very Low Income Housing
 117 units x 9% = 11 units of Low and Moderate Income Housing

3.4.3 Compliance with Housing Fund Expenditures Proportionality Requirements

Effective January 2002, expenditure of housing set-aside revenues is subject to certain legal requirements. Pursuant to Section 33334.4, at a minimum, the Agency's low and moderate income housing set-aside revenue is to be expended in proportion to the community's need for very low and low income housing, over a 10-year time period. The Agency has the option to implement the Section 33334.4 obligations for Project Areas in existence prior to December 31, 1993, over a longer period of time. Both the Fruit/Church and Southwest Fresno Constituent Plans were adopted and in existence prior to December 31, 1993. The proportionality requirements for the Constituent Plans would be implemented on or before December 31, 2014, and each 10 years thereafter.

The City's 2009-2013 Housing Element contains the Regional Housing Needs Allocation for the City of Fresno, which identified a need for 20,967 dwelling units for the Housing Element Planning Period. The City's share of the January 1, 2006 RHNA for low, very low, and extremely low income housing is expressed as a percentage share. For purposes of this report, the extremely low income category was combined with the very low income category. The resulting percentages (Very Low 24%, Low 16%, and Moderate 16%) are contained in the following Table which summarizes the Low and Moderate Housing Fund Expenditures for the 10 year period from FY 2001-02 thru FY 2009-10. The RHNA percentages are used as the minimum thresholds for housing program expenditure compliance that would be required over the 10-year term. In Attachment B to this Implementation Plan is a Proportionality Table of Low and Moderate Housing Funds for each of the fiscal years between 2001-02 and 2009-10. The Table also includes the previous January 1, 2000 RHNA that had been applicable prior to January 1, 2006.

In the following Table 3-3 is a summary of the Agency's Housing Fund expenditures for the time period from FY 2001-02 thru FY 2009-10, for all of the Agency's Project Areas, including the two Constituent Project Areas in Merger No. 2. The Table identifies Housing Fund Expenditures for all housing units developed or improved with Housing Funds, categorized by the income level of the families or individuals benefited by the Housing Fund Expenditures. The Table shows that the Agency has exceeded the minimum threshold requirements of the RHNA percentages for the expenditure of Housing Funds for the required very low and low income housing categories for the initial 10-year compliance period (FY 2001-02 thru FY 2009-10).

Table 3-3 Summary of Housing Fund Expenditures for FY 2001-02 thru FY 2009-10

EXHIBIT _____ May 2010 PROPORTIONALITY OF LOW MOD FUND EXPENDITURES ALL REDEVELOPMENT PROJECT AREAS TOTALS FY 2001-02 THRU 2009-10**				
	VL	L	Mod	TOTALS
TOTALS				
Total of Units by Income	712	634	356	1,702
Total of Expenditures* by Income	\$4,481,671	\$5,948,402	\$2,710,936	\$13,141,009
Percentage of Units by Income	42%	37%	21%	100%
Percentage of Expenditures by Income	34%	45%	21%	100%
RHNA Percentage by Income***	24%	16%	16%	
*Expenditures for developed units, funds used on administration are excluded from analysis				
**Data for FY 2009-10 is partial year thru March 31, 2010				
***Regional Housing Needs Allocation (RHNP) Percentages from 2007 Fresno County Regional Housing Needs Allocation Plan				

Senior Affordable Housing

Pursuant to CRL Section 33334.4 the Agency must expend the Housing Funds to assist housing that is available to all persons regardless of age in at least the same proportion as the number of low-income households with a member under age 65 years bears to the total number of low-income households of the community as reported in the most recent Census of the United States Census Bureau. Therefore, Housing Fund expenditures for non-senior housing would be in proportion to the number of non-senior households in the community.

Previously, in 2002, the State Legislature adopted AB 687, which required that, over the duration of each redevelopment implementation plan, the moneys in the LMIH Fund shall be spent to assist housing that is available to all persons regardless of age in at least the same proportion as the population under age 65 bears to the total population of the community as reported in the most recent census of the United States Census Bureau ("the 2002 Requirement"). In 2005, the State Legislature adopted SB 527, which amended the requirement to provide that an Agency is allowed to spend the LMIH Fund money to assist senior, affordable housing in the same proportion as senior low-income households bears to the total low-income households in the community (the "2006 Requirement"). The effect of this change was anticipated to allow for agency assistance to a greater population of senior housing than the CRL allowed prior to 2006.

In regard to the 2002 Requirement, the 2000 U.S. Census statistics as reported in the City's 2009-2013 Housing Element, indicated that persons 62 years or older were 10.8% of the population in the City of Fresno. In regard to the 2006 Requirement, the City's 2009-2013 Housing Element, reported that there were 4,843 low-income households (51-80% of median income) under the age of 65 in the City of Fresno, and 20,089 low-income households in the City of Fresno. Therefore no more than 24.1% of Project Area housing set-aside funds may be expended on housing for households age 65 or older.

Since the 2002 Requirement regarding senior housing became effective, the Agency has not utilized Housing Fund moneys to assist any housing project within the Project Area, other Project Areas, or outside the Project Area that contained units dedicated to senior housing. Therefore, whether the 2002 Requirement or the 2006 Requirement is used, the Agency has complied, during the 10-year period of the Implementation Plan, with the CRL requirements to not spend LMIH Fund moneys in

excess of the Senior Housing limitation. During the next 10-year period for the Implementation Plan, the Agency may not expend more than 24.1% Housing Fund moneys on housing for households age 65 or older.

3.4.4 Compliance with Section 33333.10 Requirements to Focus Housing Fund Expenditures

If and when the Proposed Merger No. 2 Plan Amendments are approved and adopted, then, pursuant to Section 33333.10(2), in the first fiscal year following the adoption of the Proposed Merger No 1 Plan Amendments regarding the Fruit/Church and the Southwest Fresno Constituent Project Areas, the Agency may continue to expend moneys from the Housing Fund for Moderate Income Housing, but with certain limitations. In a Five Year Period (estimated to start in FY 2011-2012 upon adoption of the Proposed Merger No. 2 Plan Amendments in FY 2010-11 that would follow adoption of the Proposed Merger No. 2 Plan Amendments in FY 2010-11), the amount that would be expended on Moderate Income Housing shall not exceed 15% of the amount of Housing Funds deposited from the above listed Project Areas, and shall only be used to assist housing projects in which no less than 49% of the units are affordable to and occupied by Extremely Low, Very Low, or Low Income families or persons. Or, the Agency may spend the subject Housing Funds on Moderate Income Housing, but the amount shall not exceed the lesser of: the amount of Housing Funds spent on Extremely Low Income Housing, or 5% of the Housing Fund deposits during the Five Year Period.

The Five Year Period for compliance with the Section 33333.10(2) requirements regarding the expenditure of Housing Funds for Moderate Income Housing, would extend beyond the Five Year Period of the Proposed Merger No 2 Implementation Plan (FY 2010-11 through FY 2014-15). Therefore the Agency's compliance with this requirement would be reported in the next Five Year Implementation Plan.

3.4.5 Meeting Housing Responsibilities For Project Areas Within Six Years of the Plan Effectiveness Date

In this Implementation Plan, both of the Constituent Project Areas in Merger No. 2 will reach their respective Plan Effectiveness Dates (2014 for Fruit/Church and 2012 for Southwest Fresno), unless they are extended as proposed in the Merger No. 2 Plan Amendments.

Should the Plan Effective Date be reached for any of the above listed Project Areas, and the Agency has not complied with its affordable housing obligations pursuant to CRL Section 3333.8(a)(1), then the Agency must use all tax increment funds, not pledged to repay indebtedness, to comply with the housing obligations that have not been met. The Agency will take all steps necessary including, without limitation, budgeting and encumbering funds as necessary to comply with CRL requirements.

It should be noted that neither of the Constituent Project Areas in Merger No. 2 will reach their time limit for Debt Repayment within the five year period of the Proposed Implementation Plan.

**ATTACHMENT ONE
HISTORICAL TAX INCREMENT REVENUES TABLES**

Redevelopment Agency
2005-2006 Incremental Revenue and 20% Housing Set Aside

Project	Total Tax Increment	Less:				Net Incr Received	Housing Set-Aside @ 20%	Net Increment Received After 20% HS
		Admin Fees	Pass Thru Amts		ERAF Payment			
			1st Install	2nd Install				
Central Business District	637,874.85	11,127.00	4,382.86	4,382.86	43,216.03	574,766.10	127,574.97	447,191.13
Fruit/Church	374,687.72	6,614.00	2,766.60	2,766.60	29,851.26	332,689.26	74,937.54	257,751.72
Mariposa	836,422.22	14,580.00	5,742.73	5,742.73	64,745.39	745,611.37	187,284.44	578,326.93
Southwest Fresno	2,503,494.30	43,424.00	17,500.18	17,500.18	176,735.88	2,248,334.06	500,698.86	1,747,635.20
West Fresno #1	202,326.09	3,574.00	1,407.70	1,407.70	17,917.80	178,018.89	40,465.22	137,553.67
West Fresno #2	869,049.47	15,484.00		0.00	45,938.32	807,627.15	173,809.89	633,817.26
West Fresno #3		0.00		0.00		0.00	0.00	0.00
Convention Center	856,476.94	15,202.00		0.00	36,576.97	804,697.97	171,295.39	633,402.58
Jefferson	694,296.03	12,206.00	5,267.95	5,267.95	12,364.81	659,189.32	138,859.21	520,330.11
Chinatown	179,859.89	3,160.00	1,669.31	1,669.31	19,266.20	154,095.07	35,971.98	118,123.09
West Fresno Rehab	40,189.70	695.00	273.64	273.64	1,819.34	37,128.08	8,037.94	29,090.14
Air Terminal	250,590.39	2,829.00	42,834.61	42,834.61	38,053.69	124,038.48	50,118.08	73,920.40
Roeding Business Park	515,018.26	7,844.00	36,262.43	36,262.43	32,561.25	402,088.15	103,003.65	299,084.50
South Van Ness	159,664.14	2,424.00	11,478.17	11,478.17	9,273.06	125,010.74	31,932.83	93,077.91
Fulton	259,436.16	3,964.00	17,927.33	17,927.33	16,183.06	203,434.44	51,887.23	151,547.21
Airport Area Revitalization	2,055,486.04	28,934.00	206,733.01	206,733.01	199,367.34	1,413,718.68	411,097.21	1,002,621.47
Southeast Fresno	1,756,953.97	24,564.00	180,871.00	180,871.00	143,625.83	1,227,022.14	351,390.79	875,631.35
South Fresno Industrial	910,021.83	12,786.00	92,166.88	92,166.88	37,064.73	675,837.34	182,004.37	493,832.97
Central City	484,999.68	7,266.00	34,503.71	34,503.71	24,887.86	383,838.40	96,999.94	286,838.46
Corridor 99/Golden State	1,182,063.50	17,901.00	85,932.85	85,932.85		992,296.80	236,412.70	755,884.10
Totals	14,768,911.18	234,578.00	747,720.96	747,720.96	949,448.82	12,089,442.44	2,953,782.24	9,135,660.20

Redevelopment Agency
2006-2007 Incremental Revenue and 20% Housing Set Aside

Project	Total Tax Increment	Less:				Net Incr Received	Housing Set-Aside @ 20%	Net Increment Received After 20% HS
		Admin Fees	Pass Thru Amts		ERAF Payment			
			1st Install	2nd Install				
Central Business District	809,568.86	11,699.00	5,578.07	5,578.07		786,713.72	161,913.77	624,799.95
Fruit/Church	421,365.34	6,151.00	3,063.14	3,063.14		409,088.06	84,273.07	324,814.99
Mariposa	1,171,238.70	17,092.00	8,071.32	8,071.32		1,138,004.06	234,247.74	903,756.32
Southwest Fresno	2,920,775.17	42,538.00	20,303.87	20,303.87		2,837,629.43	584,155.03	2,253,474.40
West Fresno #1	202,917.23	2,974.00	1,412.14	1,412.14		197,118.95	40,583.45	156,535.50
West Fresno #2	893,614.64	13,042.00		0.00		880,572.64	178,722.93	701,849.71
West Fresno #3	0.00	0.00		0.00		0.00	0.00	0.00
Convention Center	915,019.03	13,353.00		0.00		901,666.03	183,003.81	718,662.22
Jefferson	557,433.75	8,129.00	4,339.49	4,339.49		540,575.77	111,486.75	429,089.02
Chinatown	167,247.56	2,441.00	1,607.50	1,607.50		161,591.56	33,449.51	128,142.05
West Fresno Rehab	42,886.08	613.00	292.31	292.31		41,688.46	8,577.22	33,111.24
Air Terminal	136,887.68	1,998.00	25,127.90	25,127.90		84,633.88	27,377.54	57,256.34
Roeding Business Park	724,726.14	10,578.00	52,693.86	52,693.86		608,760.42	144,945.23	463,815.19
South Van Ness	226,328.29	3,234.00	15,801.21	15,801.21		191,491.87	45,265.66	148,226.21
Fulton	431,765.07	6,302.00	29,841.51	29,841.51		365,771.97	86,353.01	279,418.96
Airport Area Revitalization	2,229,560.74	32,547.00	207,472.72	207,472.72		1,782,068.30	445,912.15	1,336,156.15
Southeast Fresno	2,002,294.68	29,224.00	206,173.47	206,173.47		1,560,673.74	400,458.94	1,160,214.80
South Fresno Industrial	1,107,265.58	16,164.00	112,145.67	112,145.67		866,810.24	221,453.12	645,357.12
Central City	692,743.32	10,096.00	49,323.47	49,323.47		584,000.38	138,548.66	445,451.72
Corridor 99/Golden State	1,893,498.49	27,639.00	137,609.10	137,609.10		1,590,641.29	378,699.70	1,211,941.59
Totals	17,547,136.35	255,814.00	880,856.75	880,856.75	0.00	15,529,500.77	3,509,427.27	12,020,073.50

Redevelopment Agency
2007-2008 Incremental Revenue and 20% Housing Set Aside

Project	Total Tax Increment	Less:			Net Incr Received	Housing Set-Aside @ 20%	Net Increment Received After 20% HS
		Admin Fees	Pass Thru Amts				
			1st Install	2nd Install			
Central Business District	1,099,450.63	14,554.00	7,593.00	7,593.00	1,069,710.63	219,890.13	849,820.50
Fruit/Church	507,529.59	6,770.00	3,620.64	3,620.64	493,518.31	101,505.92	392,012.39
Mariposa	1,345,069.35	17,932.00	9,276.45	9,276.45	1,308,584.45	269,013.87	1,039,570.58
Southwest Fresno	3,461,776.95	46,002.00	23,984.55	23,984.55	3,367,805.85	692,355.39	2,675,450.46
West Fresno #1	218,137.78	2,921.00	1,517.81	1,517.81	212,181.16	43,627.56	168,553.60
West Fresno #2	899,064.83	11,989.00		0.00	887,075.83	179,812.97	707,262.86
West Fresno #3	0.00	0.00		0.00	0.00	0.00	0.00
Convention Center	986,231.13	13,148.00		0.00	973,083.13	197,246.23	775,836.90
Jefferson	698,870.84	9,308.00	5,346.56	5,346.56	678,869.72	139,774.17	539,095.55
Chinatown	135,059.33	1,801.00	1,409.35	1,409.35	130,439.63	27,011.87	103,427.76
West Fresno Rehab	62,532.45	822.00	428.69	428.69	60,853.07	12,506.49	48,346.58
Air Terminal/FATRA	216,328.32	2,884.00	37,886.97	37,886.97	137,670.38	43,265.66	94,404.72
Roeding Business Park	1,050,810.88	14,014.00	75,689.29	75,689.29	885,418.30	210,162.18	675,256.12
South Van Ness	368,569.73	4,750.00	25,064.73	25,064.73	313,690.27	73,713.95	239,976.32
Fulton	488,930.00	6,521.00	33,709.30	33,709.30	414,990.40	97,786.00	317,204.40
Airport Area Revitalization	2,342,988.49	31,254.00	234,230.06	234,242.33	1,843,262.10	468,597.70	1,374,664.40
Southeast Fresno	2,427,773.28	32,377.00	261,780.90	261,780.90	1,871,834.48	485,554.66	1,386,279.82
South Fresno Industrial	1,388,986.90	18,529.00	138,866.15	138,866.15	1,092,725.60	277,797.38	814,928.22
Central City	906,966.48	12,177.00	61,937.62	63,694.00	769,157.86	181,393.30	587,764.56
Corridor 99/Golden State	2,496,785.95	33,302.00	176,399.48	176,410.76	2,110,673.71	499,357.19	1,611,316.52
Totals	21,101,862.91	281,055.00	1,098,741.55	1,100,521.48	18,621,544.88	4,220,372.58	14,401,172.30

Redevelopment Agency
2008-2009 Incremental Revenue and 20% Housing Set Aside

Project	Total Tax Increment	Less:					Net Incr Received	Housing Set-Aside @ 20%	Net Increment Received After 20% HS
		Fees		Pass Thru Amts		ERAF Reserve			
		AB 1389	Admin	1st Install	2nd Install				
Central Business District	867,458.00	351.50	13,139.00	6,000.12	6,000.12		841,967.26	173,491.60	668,475.66
Fruit/Church	494,937.76	210.90	7,854.00	3,682.37	3,682.37		479,508.12	98,987.55	380,520.57
Mariposa	1,280,590.90	210.90	19,536.00	8,835.98	8,835.98		1,243,172.04	256,118.18	987,053.86
Southwest Fresno	3,534,678.34	242.54	54,284.00	24,769.05	24,769.05		3,430,613.70	706,935.67	2,723,678.03
West Fresno #1	233,857.43	140.60	3,580.00	1,628.20	1,628.20		226,880.43	46,771.49	180,108.94
West Fresno #2	959,755.57	140.60	14,621.00	0.00	0.00		944,993.97	191,951.11	753,042.86
West Fresno #3	0.00	14.06	0.00	0.00	0.00		(14.06)	0.00	(14.06)
Convention Center	998,862.23	246.05	15,227.00	0.00	0.00		983,389.18	199,772.45	783,616.73
Jefferson	664,581.78	281.20	10,039.00	5,145.36	5,145.36		643,970.86	132,916.36	511,054.50
Chinatown	128,913.33	210.90	1,836.00	1,375.88	1,375.88		122,114.67	25,382.67	96,732.00
West Fresno Rehab	69,832.77	281.20	1,053.00	480.87	480.87		67,536.83	13,966.55	53,570.28
Air Terminal/FATRA	444,332.25	210.90	6,752.00	74,261.50	74,261.50		288,846.35	88,866.45	199,979.90
Roeding Business Park	1,058,459.84	316.35	16,190.00	78,253.20	78,253.20		885,447.09	211,691.97	673,755.12
South Van Ness	456,902.82	210.90	6,893.00	31,518.77	31,518.77		386,761.38	91,380.56	295,380.82
Fulton	445,848.21	281.20	6,802.00	30,815.58	30,815.58		377,133.85	89,169.64	287,964.21
Airport Area Revitalization	2,224,121.30	210.90	34,514.00	222,437.52	222,437.52		1,744,521.36	444,824.26	1,299,697.10
Southeast Fresno	2,903,412.53	351.50	44,321.00	290,713.47	290,713.47		2,277,313.09	580,682.51	1,696,630.58
South Fresno Industrial	1,630,618.72	281.20	25,648.00	163,372.17	163,372.17		1,277,945.18	326,123.74	951,821.44
Central City	1,009,807.03	246.05	15,525.00	69,980.74	69,980.74		854,074.50	201,961.41	652,113.09
Corridor 99/Golden State	2,738,952.82	281.20	42,119.00	193,184.95	193,184.95		2,310,182.72	547,790.56	1,762,392.16
Totals	22,143,923.63	4,720.65	339,933.00	1,206,455.73	1,206,455.73	0.00	19,386,358.52	4,428,784.73	14,957,573.79

Redevelopment Agency
2009-2010 Incremental Revenue and 20% Housing Set Aside - Estimated

Project	Estimated Total Tax Increment	Less:					Net Incr Received	Housing Set-Aside @ 20%	Net Increment Received After 20% HS
		Fees		Pass Thru Amts		SERAF Payment			
		AB 1389	Admin	1st Install	2nd Install				
Central Business District	911,412.44	35.56	12,313.00	66,903.23	66,903.23	310,786.86	454,470.56	182,282.49	272,188.07
Fruit/Church	543,525.46	35.56	7,410.00	17,108.19	17,108.19	161,758.70	340,104.82	108,705.09	231,399.73
Mariposa	1,195,826.62	35.56	17,010.00	44,429.07	44,429.07	449,628.95	640,293.97	239,165.32	401,128.65
Southwest Fresno	3,116,891.36	35.56	52,950.00	119,607.36	119,607.36	1,121,261.68	1,703,429.40	623,378.27	1,080,051.13
West Fresno #1	236,435.84	35.56	3,330.00	6,185.17	6,185.17	77,898.26	142,801.68	47,287.17	95,514.51
West Fresno #2	980,758.48	35.56	13,681.00	9,914.87	9,914.87	343,051.34	604,160.84	196,151.70	408,009.14
West Fresno #3	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00
Convention Center	1,023,132.90	35.56	14,228.00	41,846.13	41,846.13	351,268.31	573,908.77	204,826.58	369,282.19
Jefferson	558,748.02	35.56	9,447.00	18,662.59	18,662.59	213,994.25	297,946.03	111,749.60	186,196.43
Chinatown	128,774.42	35.56	2,807.00	1,420.34	1,420.34	64,204.97	58,886.21	25,754.88	33,131.33
West Fresno Rehab	71,616.70	35.56		3,837.12	3,837.12	18,463.62	47,443.28	14,323.34	33,119.94
Air Terminal/FATRA	235,720.74	59.02	6,645.00	41,457.71	41,457.71	52,550.06	93,551.24	47,144.15	46,407.09
Roeding Business Park	895,184.30	59.02	15,810.00	84,650.05	84,650.05	278,216.43	431,798.75	179,036.86	252,761.89
South Van Ness	544,402.52	35.56	6,492.00	38,818.69	38,818.69	86,885.58	373,352.00	108,880.50	264,471.50
Fulton	590,271.22	59.02	6,344.00	52,881.45	52,881.45	165,751.08	312,354.22	118,054.24	194,299.98
Airport Area Revitalization	2,895,249.06	59.02	33,345.00	269,549.51	269,549.51	855,910.12	1,266,835.90	539,049.81	727,786.09
Southeast Fresno	3,024,018.96	59.02	43,478.00	302,419.82	302,419.82	768,664.54	1,606,975.76	604,803.39	1,002,172.37
South Fresno Industrial	1,770,279.80	59.02	24,405.00	177,027.97	177,027.97	425,070.19	966,689.65	354,055.96	612,633.69
Central City	1,085,151.46	35.56	15,105.00	75,316.53	75,316.53	265,938.49	653,439.35	217,030.29	436,409.06
Corridor 99/Golden State	2,445,312.18	59.02	40,973.00	172,784.95	172,784.95	726,898.57	1,331,811.69	489,062.44	842,749.25
Totals	22,052,710.48	839.86	325,773.00	1,544,820.75	1,544,820.75	6,736,202.00	11,900,254.12	4,410,542.10	7,489,712.02

**ATTACHMENT TWO
HOUSING PROPORTIONALITY TABLE**

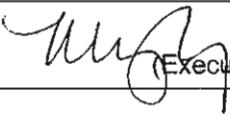
ATTACHMENT B May 2010				
PROPORTIONALITY OF LOW MOD FUND EXPENDITURES				
TOTALS FY 2001-02 THRU 2009-10*				
	VL	L	Mod	TOTALS
FY 2001-02				
Subtotal of Units Benefitted by Income	137	51	22	210
Percentage of Units Benefitted by Income	65%	24%	11%	100%
RHNA Percentage by Income**	21%	15%	20%	
FY 2002-03				
Subtotal of Units Benefitted by Income	92	97	102	291
Percentage of Units Benefitted by Income	32%	33%	35%	100%
RHNA Percentage by Income**	21%	15%	20%	
FY 2003-04				
Subtotal of Units Benefitted by Income	180	215	93	488
Percentage of Units Benefitted by Income	37%	44%	19%	100%
RHNA Percentage by Income**	21%	15%	20%	
FY 2004-05				
Subtotal of Units Benefitted by Income	41	43	30	114
Percentage of Units Benefitted by Income	36%	38%	26%	100%
RHNA Percentage by Income**	21%	15%	20%	
FY 2005-06				
Subtotal of Units Benefitted by Income	33	35	21	89
Percentage of Units Benefitted by Income	37%	39%	24%	100%
RHNA Percentage by Income**	21%	15%	20%	
FY 2006-07				
Subtotal of Units Benefitted by Income	70	94	34	198
Percentage of Units Benefitted by Income	36%	47%	17%	100%
RHNA Percentage by Income**	21%	15%	20%	
FY 2007-08				
Subtotal of Units Benefitted by Income	107	39	21	167
Percentage of Units Benefitted by Income	64%	23%	13%	100%
RHNA Percentage by Income***	24%	16%	16%	
FY 2008-09				
Subtotal of Units Benefitted by Income	30	25	20	75
Percentage of Units Benefitted by Income	40%	33%	27%	100%
RHNA Percentage by Income***	24%	16%	16%	
FY 2009-10*				
Subtotal of Units Benefitted by Income	22	35	13	70
Percentage of Units Benefitted by Income	31%	50%	19%	100%
RHNA Percentage by Income***	24%	16%	16%	
TOTALS				
Subtotal of Units Benefitted by Income	712	634	356	1,702
Percentage of Units Benefitted by Income	42%	37%	21%	100%
RHNA Percentage by Income***	24%	16%	16%	
*Data for FY 2009-10 is partial year thru March 31, 2010				
**Regional Housing Needs Allocation (RHNP) Percentages from 2001 Fresno County Regional Housing Needs Allocation Plan				
***Regional Housing Needs Allocation (RHNP) Percentages from 2007 Fresno County Regional Housing Needs Allocation Plan				

Appendix 9: Report and Recommendation of the Planning Commission

**REPORT TO THE
PLANNING COMMISSION**

COMMISSION ITEM NO.
COMMISSION MEETING: 10/20/10

APPROVED BY


(Executive Director)

DATE: October 20, 2010

FROM: Marlene Murphey, Executive Director

BY: David Martin, Project Manager
Jeff Findley, Senior Project Coordinator

SUBJECT: Consider adopting a Resolution relating to the approval and adoption of the Proposed Amendments ("Plan Amendments" or "Amendments") to Two (2) Redevelopment Plans in the Merger No. 2 Project comprised of the Southwest Fresno General Neighborhood Renewal Area, and Fruit/Church ("Constituent Project Areas" or "Constituent Redevelopment Plans") that does the following:

1. Finds that the proposed Amendments are consistent with the General Plan and applicable Community and Specific Plans, including, but not limited to, the Housing Element and consistent with Government Code Section 65042.
2. Finds that the Final Subsequent Environmental Impact Report ("FSEIR") for the Merger No. 2 Project is in compliance with the provisions of the California Environmental Quality Act ("CEQA") and other applicable laws and regulations.
3. Recommends that the Fresno City ("City") Council ("Council") and Fresno Redevelopment Agency Board ("Agency Board" or "Board") certify the FSEIR for the Merger No. 2 Project.
4. Recommends that the Council and Agency Board consider adopting an appropriate statement of overriding considerations because significant, unavoidable environmental impacts may result from the Merger No. 2 Project.
5. Recommends that the City Council adopt by Ordinance the Proposed Merger No. 2 Redevelopment Plan Amendments.

RECOMMENDATIONS

It is recommended that the Planning Commission adopt a resolution (Attachment "B") that does the following:

1. Finds that the proposed Amendments are consistent with the General Plan and applicable Community and Specific Plans, including, but not limited to, the Housing Element and consistent with Government Code Section 65042.
2. Finds that the FSEIR for the Merger No. 2 Project is in compliance with the provisions of CEQA and other applicable laws and regulations.
3. Recommends that the Council and Agency Board certify the FSEIR for the Merger No. 2 Project.
4. Recommends that the Council and Agency Board consider adopting an appropriate statement of overriding considerations because significant, unavoidable environmental impacts may result from the Merger No. 2 Project.
5. Recommends that the Council adopt by Ordinance the Proposed Merger No. 2 Redevelopment Plan Amendments.

EXECUTIVE SUMMARY

On March 31, 2009, the Council and Agency Board initiated the process for public review for consideration of Proposed Plan Amendments to the Constituent Redevelopment Plans in the Merger No. 2 Project. Staff has worked with the Keyser Marston Associates, Inc. (KMA) to update the Constituent Redevelopment Plans for Merger No. 2. This included major plan amendments for updating the plan duration, debt repayment, tax increment limit, and eminent domain limit, as necessary, for the Constituent Redevelopment Plans (see Location Map, Attachment "A" and Summary of Proposed Redevelopment Plan Amendments in Background Section of staff report).

On July 2, 2010, in accordance with noticing requirements of California Redevelopment Law (the "CRL") (Health and Safety Code §§ 33333.11(f) and 33543), copies of the 1) proposed Plan Amendments (see Exhibit "A" to Resolution in Attachment "B"), 2) the "Preliminary Report" (see Preliminary Report in DSEIR in Attachment "D") required by Health and Safety Code section 33333.11(e) (which contains the blight report, financial projections, Agency accomplishments, and reasons for extension of the Plan time and financial limits, etc.), 3) Notice of Availability and Draft Subsequent Environmental Impact Report (DSEIR) for the Proposed Amendments (see DSEIR in Attachment D) were delivered to the Planning Commission.

Two public information meetings were held in Southwest Fresno regarding the proposed Plan Amendments. On September 1, 2010, a notice was mailed to all property owners, residents, and businesses in the Constituent Redevelopment Project Areas. Public Notices were also published three times in the Fresno Bee (September 3, 10, and 17, 2010) pursuant to Redevelopment Law requirements (see Attachment E). On September 13, 2010, the first public information meeting was held at the West Fresno Regional Center in southwest Fresno to provide information on the Plan Amendments, Agency accomplishments and the public review process.

To further address questions from the first public information meeting, a second notice was mailed on October 5, 2010 to all property owners, residents, and businesses in the Constituent Redevelopment Project Areas. Public Notices were also published three times in the Fresno Bee (October 7, 14, and 21, 2010) pursuant to Redevelopment Law requirements (see Attachment E). The second public information meeting was conducted at the Sanctuary Church in southwest

Fresno to provide information on the Plan Amendments, Agency accomplishments, the public review process, and to provide follow up information from the first public information meeting. Letters of Support are included in Attachment "F".

Extensions to the plan time and financial limits for the Constituent Redevelopment Plans need to be undertaken in order to continue carrying out the revitalization efforts in Southwest Fresno and Fruit/Church (Edison Plaza Mixed Use Phase II, California Avenue Revitalization, California Triangle Housing, Hope VI infill, Sequoia Village/EAH Housing, etc.).

BACKGROUND

On October 20, 1998, the Council adopted updates to the two Constituent Redevelopment Plans in Merger No. 2. Both of the Constituent Redevelopment Plans were included in a financial merger to provide the Agency with greater flexibility to focus its financial resources. As a result, the Agency has been better able to carry out a program of redevelopment and revitalization in the overall southwest Fresno area on a comprehensive basis. Redevelopment projects and programs have been some of the key tools for implementing the goals and objectives for the City's southwest Fresno neighborhoods as envisioned in the General Plan and the Edison Community Plan.

Constituent Redevelopment Plans adopted prior to 1994 are subject to the provisions of Senate Bill 211, passed in 2001. Senate Bill 211 allows a redevelopment agency to extend the deadlines, for up to 10 years, if certain requirements are met. The plan amendment must identify the significant remaining blight in a project area, the focusing of redevelopment activities to eradicating the remaining blight, focusing the use of the Agency's Low and Moderate Income Housing Funds to low and very low income families, and increasing the amount of property tax increment revenues that are set aside in the Low and Moderate Income Housing Fund from a 20% rate to a 30% rate. These requirements are applicable to the proposed Amendments to both of the Constituent Redevelopment Plans.

On March 31, 2009, the Council and the Agency Board initiated procedures for the preparation of the Amendments. Subsequently on July 2, 2010 the Preliminary Report prepared by KMA (see Preliminary Report in DSEIR in Attachment "D") and the Proposed Merger No. 2 Plan Amendments (Exhibit "A" to Resolution in Attachment "B") for the public review process were distributed to the Planning Commission.

As part of the process of amending the Constituent Redevelopment Plans, the CRL (Health and Safety Code 33000, *et. seq.*) requires preparation of a Preliminary Report that includes specific financial, and blighting conditions information, which must be provided to affected taxing entities, State officials (i.e., the California Department of Finance, and the California Department of Housing and Community Development), Planning Commission, any project area committees, as well as other interested persons and organizations. On April 19, 2010, the Notice of Preparation for the SEIR was transmitted to the Planning Commission. On July 2, 2010, the Notice of Availability for the SEIR and the DSEIR were delivered to the Commission.

Summary of Plan Amendments

Amend the time and financial limits for the Constituent Redevelopment Plans in Merger No. 2 as follows (see the Individual Plan Amendments to the Constituent Plans in Exhibit "A" to Resolution in Attachment "B" for details):

- Increase the tax increment limits for the Southwest Fresno GNRA and the Fruit/Church Constituent Plans;
- Extend the time limit on the effectiveness of the plan by 10 years for both of the Constituent Plans; and
- Extend the time limit on the payment of indebtedness and receipt of property taxes by 10 years for both of the Constituent Plans; and
- Increase the time limit by 12 years on the Agency's authority to utilize eminent domain in both of the Constituent Plans, except that the Agency will not have the authority to acquire by use of eminent domain any property on which persons lawfully reside.

Consistency With The General Plan

To adopt the proposed Plan Amendments, the Council must first find that the Redevelopment Plans, as proposed for amendment, are consistent with the City's General Plan, including, but not limited to the General Plan Housing Element. The Council's finding is generally based on the Planning Commission's finding of consistency. In 2004 both of the Constituent Redevelopment Plans were amended to cause the land use element for both of the Constituent Redevelopment Plans to be the City's General Plan and the relevant community and specific plans, as may be adopted or amended from time to time. Therefore, the adoption of the 2004 Plan Amendments ensured conformity of the two Constituent Redevelopment Plans with the City's General Plan and the relevant community and specific plans on a continuous basis.

The General Plan Housing Element is advanced by the Agency's revitalization strategy to retain, rehabilitate and improve existing housing units and to provide for new housing infill opportunities for low and moderate income families in the Constituent Redevelopment Project Areas. The Low and Moderate Income Housing funds generated from the Constituent Redevelopment Project Areas will be utilized to improve the community's supply of low and moderate income housing either within the Southwest Fresno GNRA Constituent Redevelopment Project Area, or within or adjacent to the Fruit/Church Constituent Redevelopment Project Area. It should be noted that the proposed Plan Amendments will involve an increase in the amount of Low and Moderate Income Housing funds from 20% to 30% of Gross Tax Increment funds for both of the Constituent Redevelopment Project Areas. Should any low and moderate income units be destroyed or removed, Redevelopment Law requires that the units be replaced and any affected families relocated either within or proximate to the Project Areas.

During the public review process for the SEIR, the City's Historic Preservation Commission ("HPC") requested that the FSEIR include a discussion of the Merger No. 2 Project's consistency with the General Plan's policies regarding the protection of cultural resources. These comments have been addressed in detail in the Responses to Comments portion of the FSEIR (see Response to Comment E-1 in Chapter 2 of FSEIR in Attachment "C"). There is no conflict between the proposed Amendments to the Constituent Redevelopment Plans, including the policies for acquisition of land, rehabilitation of existing buildings, site improvements, and assembly of buildable sites, and the General Plan policies for protection of cultural resources. The Redevelopment Agency does not issue building permits, approve entitlements (site plans, CUP's, Rezoning) or issue demolition permits, etc. The City of Fresno's responsibilities and discretion in the

consideration and approval of all Planning and Development processes and entitlements within the Constituent Redevelopment Project Areas will not be affected or limited in any way by the Proposed Amendments.

Considering the Merger No. 2 Redevelopment Plans, as proposed for amendment, and the above information, it can be found that the Constituent Redevelopment Plans, as proposed for amendment are consistent with and therefore conform to the General Plan, including, but not limited to, the Housing Element. Furthermore, the location, purpose and extent of any real property to be acquired under the authority of the proposed Amendments by dedication or otherwise for street, square, park or other public purposes, any real property to be disposed of, any street to be vacated or abandoned and any public buildings or structure to be constructed within the Constituent Project Areas are in accordance with the City's General Plan, consistent with Government Code section 65402.

Environmental Assessment

Environmental Assessment of the Merger No. 2 Project has been completed in compliance with the California Environmental Quality Act (CEQA) to identify and evaluate environmental effects of the proposed Amendments to the Constituent Redevelopment Plans in the Merger No. 2 Project. No site specific redevelopment projects have been identified. The proposed Amendments only extend time limits and funding limits for the previously adopted Constituent Redevelopment Plans.

On April 19, 2010, the City of Fresno and the Redevelopment Agency of the City of Fresno ("Co-Lead Agencies") transmitted the Notice of Preparation for the DSEIR to the Planning Commission pursuant to CEQA Guidelines Section 15082 and Public Resources Code section 21080.4. On July 2, 2010, the Co-Lead Agencies provided the Notice of Availability ("NOA") and the DSEIR to the Planning Commission. On July 7, 2010, the Co-Lead Agencies published the NOA for the DSEIR in the Fresno Bee and transmitted it to the State Clearinghouse and to other public agencies and individuals pursuant to Public Resources Code Section 21092 and CEQA Guidelines Section 15087, and made the DSEIR available to the public for review. On August 21, 2010, the Co-Lead Agencies closed the public comment period following a 45-day review period where the public was given the opportunity to comment in writing on the adequacy of the DSEIR. The DSEIR is included in Attachment "D".

Prior to the close of the public review period on August 21, 2010, the Co-Lead Agencies received three comment letters and one memorandum from government agencies. The Co-Lead Agencies also received one comment letter (HPC) after the close of the public review period. The Governor's Office of Planning and Research also sent a letter that states that their office received one comment letter (Comment B) during the public review period and that the Co-Lead Agencies have complied with the draft environmental review requirements pursuant to CEQA. Public testimony regarding the DSEIR was taken during the August 23, 2010, HPC meeting. The public's concerns were considered by the HPC during the preparation of their formal comments on the DSEIR, submitted in their August 23, 2010 letter.

The Lead Agency subsequently prepared responses to all of the aforementioned comments for inclusion in the FSEIR, in accordance with Section 15088 of the State CEQA Guidelines. In addition to comments received regarding the conformity of the proposed Amendments with the General Plan (as discussed above), a HPC comment questioned if the Merger No. 2 Project's

mitigation measures CR-1 and CR-2 are consistent with mitigation measure J-4 of the Master EIR for the General Plan. Mitigation measure J-4 states that:

Where maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation, or reconstruction of historical resources will be conducted consistent with the Secretary of Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (Weeks and Grimmer, 1995), the project's impacts on historical resource shall be considered mitigated below a level of significance and thus not significant.

As set forth in the Response to Comments E-2 in Chapter 2 of the FSEIR in Attachment "C", the FSEIR provides an adequate discussion of the consistency between mitigation measures CR-1 and CR-2 and mitigation measure J-4.

Comment A (Fresno County Library) raised no issues. Comment B (National American Heritage Commission) informed the Co-Lead Agencies that future development would need to consult with the National American Heritage Commission. Comment C (Fresno Metropolitan Flood Control District) raised no issues. Comment D (San Joaquin Valley Air Pollution Control District) informed the Co-Lead Agencies that future development would have to undergo separate project-level CEQA analyses and would have to conform to toxic air contaminant regulation and provide sufficient detail to make a preliminary assessment of potential health risks. Response to Comments E-1 and E-2 of Comment E (HPC) 2 in Chapter 2 of the FSEIR in Attachment "C" has already been discussed above.

Response to Comment E-3 in Chapter 2 of the FSEIR in Attachment "C" addresses the HPC request that the Co-Lead Agencies consider adding mitigation that explicitly references the use of Department of the Interior Standards and Guidelines related to the treatment of historic resources. The Draft SEIR accounts for the Secretary of the Interior's Standards by reference to the State CEQA Guidelines, which lists the Secretary of the Interior's Standards as a means of mitigating impacts (see State CEQA Guidelines Section 15064.5[b][3]). It is not necessary to identify it separately in the SEIR. Mitigation Measures CR-1 and CR-2 require compliance with CEQA and therefore the Secretary of the Interior's Standards. Response to Comment E-4 in Chapter 2 of the FSEIR in Attachment "C" addresses the request that the Redevelopment Agency of the City of Fresno, at its expense, prepare and present to the HPC an annual report that discusses status and implementation of the Mitigation Monitoring and Reporting Program ("MMRP") for the Merger No. 2 Project. The MMRP report appended to FSEIR (Appendix A) would be periodically updated and is available upon request at any time by the HPC for inspection and discussion. As shown in the MMRP, it is the City of Fresno and HPC's responsibility to implement mitigation measure CR-1 and CR-2, to ensure that MMRP is current, and that mitigation measures are being implemented outlined in the MMRP.

The FSEIR is an adequate assessment of the potentially significant environmental impacts of the Merger No. 2 Project and has been completed in compliance with CEQA. The FSEIR sets forth a reasonable range of alternatives to the Merger No. 2 Project. However, the FSEIR indicates that the Merger No. 2 Project may result in significant, unavoidable air quality, greenhouse gas emissions, historical resources, and noise impacts. Public Resources Code section 21081 and the provisions of section 15091 of the CEQA Guidelines, require that no public agency shall approve or carry out a project for which an environmental impact report has been certified which identifies one or more

significant effects on the environment unless “. . . the public agency finds that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects of the environment.” (Pub. Resources Code § 21081(b).) Therefore, after certification of the FSEIR, the Co-Lead Agencies should adopt an appropriate statement of overriding considerations if it wishes to move forward with the Project, before subsequently approving the proposed Amendments to the Constituent Redevelopment Plans in Merger No. 2 Project.

Public Review Process

In addition to the public comment received as part of the Environmental Review process described above, two public information meetings were held in southwest Fresno. On September 13, 2010, the first public information meeting was held at the West Fresno Regional Center at Edison Plaza in southwest Fresno. On October 11, 2010, a second public information meeting was held at the Sanctuary Church in southwest Fresno to further address questions from the September 13, 2010 public information meeting. A revised, second Notice notifying residents of the follow-up meeting was mailed to all property owners, residents, and businesses in the Constituent Redevelopment Project Areas, and was also published in the Fresno Bee (see Attachment “E”).

Approximately 85 people were in attendance at the September 13, 2010 Meeting and approximately 89 people were in attendance at the October 11, 2010 Meeting. Spanish translation services were made available at both public information meetings. At both public information meetings, Agency staff and KMA, the Agency’s redevelopment consultant, provided an overview of redevelopment activities in the Merger No. 2 Area, reasons why the proposed updates of the redevelopment plans are necessary, an overview of the public review process and an overview of the proposed changes to the Redevelopment Plans. Staff provided attendees a schedule of public meetings for review of the Plan Amendments, with revised dates as follows: Planning Commission on October 20, 2010, the Housing and Community Development Commission on October 27, 2010, and the Joint Public Hearing of the Fresno City Council and Agency Board on December 9, 2010. Agency staff and KMA responded to questions from the audience. The public’s questions were about the purpose of the public information meetings, an explanation about blight, how the City and Agency work together, the property acquisition/condemnation process, an explanation about tax increment, affordable housing and the need for market-rate housing, and other City issues outside the jurisdiction of the Agency.

Merger No. 2 Taxing Entities

Pursuant to CRL requirements as discussed above, on July 2, 2010 the Agency sent the Preliminary Report to all of the taxing entities regarding the Plan Amendments to the Constituent Redevelopment Plans in Merger No. 2, and offered to participate in consultation meetings to discuss the Plan Amendments and how they would relate to a taxing entity.

Fresno County

Agency staff received in a series of email transmittals from the Administrative Office of the County of Fresno on July 29, August 26, and September 8, 2010, written requests for information about historical documents about the past plan amendments for Merger No. 2, the Agency’s schedule for the Merger No. 2 Plan Amendments, and detailed information about how the tax increment calculations were made for Merger No. 2. All of this information was provided to County Staff by the Agency in a series of email transmittals concluding on September 8, 2010.

Attachments:

- "A" Location Map
- "B" Proposed Planning Commission Resolution
Exhibit "A" Proposed Merger No. 1 Redevelopment Plan Amendments
- "C" Final Subsequent Environmental Impact Report
Chapter 2 – Comments Received and Responses to Comments
Chapter 3 – Errata to the DSEIR
- "D" Draft Subsequent Environmental Impact Report (Planning Commission Packets only)
- "E" September 1, 2010 and October 5, 2010 Public Hearing Notices for Merger No. 2 Plan
Amendments
- "F" Letters of Support for Merger No. 2 Plan Amendments

**FRESNO CITY PLANNING COMMISSION
RESOLUTION NO. 13037**

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
FRESNO MAKING ITS REPORT AND RECOMMENDATION ON THE
2010 PROPOSED AMENDMENTS TO THE FRESNO MERGER NO. 2
REDEVELOPMENT PLAN AND MAKING CERTAIN FINDINGS
REGARDING CONFORMITY OF PROPOSED AMENDMENTS TO
GENERAL PLAN AND ADEQUACY OF THE FINAL SUBSEQUENT
ENVIRONMENTAL IMPACT REPORT**

WHEREAS, the Redevelopment Agency of the City of Fresno ("Agency") is a community redevelopment agency organized and existing under the California Community Redevelopment Law, Health and Safety Code Section 33000, *et seq.*, ("CRL") and has been authorized to transact business and exercise the powers of a redevelopment agency pursuant to action of the Council ("Council") of the City of Fresno ("City"); and

WHEREAS, on March 31, 2009, the Council and Agency Board initiated the plan amendment process and authorized the preparation of the proposed Fresno Merger No. 2 Redevelopment Project Amendments (attached as Exhibit "A") and which are referred to herein as "Amendments"), which encompass separate redevelopment project areas, including the Southwest Fresno General Neighborhood Renewal Area, and the Fruit/Church Redevelopment Project (the "Constituent Project Areas") each of which is more specifically defined below, and each of which has its own redevelopment plan ("Constituent Redevelopment Plans"); and

WHEREAS, the City and Agency, acting as co-lead agencies ("Lead Agency") under the California Environmental Quality Act ("CEQA") have prepared a Final Subsequent Environmental Impact Report ("FSEIR") to the existing 1998 environmental impact report ("1998 EIR") for the Fresno Merger No. 2 Redevelopment Plan relating to and assessing environmental effects related to the Merger No. 2 Amendments ("Project") and the FSEIR is inclusive of the Draft Subsequent Environmental Impact Report ("DSEIR") dated July 2010; and

WHEREAS, on January 14, 1969, by Ordinance No. 69-13, the City Council adopted a redevelopment plan (Redevelopment Plan or Plan) entitled the Urban Renewal Plan for the Southwest Fresno General Neighborhood Renewal Area Project Area and subsequently amended the redevelopment plan eight (8) times by way of Ordinances 72-126, adopted on August 17, 1972, 83-32 adopted on March 1, 1983, 86-203 adopted on December 16, 1986, 94-114 adopted on December 6, 1994, 98-82 adopted on October 20, 1998, 2004-108 adopted on October 19, 2004, 2008-9 adopted on February 26, 2008, and 2009-15 adopted on April 7, 2009; and

WHEREAS, on October 7, 1971, by Ordinance No. 71-98, the City Council adopted the Redevelopment Plan (Redevelopment Plan or Plan) for the Fruit/Church Project and subsequently amended the redevelopment plan seven (7) times by way of Ordinances 86-205 adopted on December 16, 1986, 94-113 adopted on December 6, 1994, 95-48 adopted on June

13, 1995, 98-83 adopted on October 20, 1998, 2004-109 adopted on October 19, 2004, 2008-9 adopted on February 26, 2008, and 2009-15 adopted on April 7, 2009.

WHEREAS, the Council and Agency desires to amend the Constituent Project Plans (including the Ninth Amendment to Southwest Fresno, and the Eighth Amendment to Fruit/Church), which Amendments are set forth in Exhibit B; and

WHEREAS, for any Amendments to Constituent Redevelopments Plans adopted prior to December 21, 1993, Section 33333.11(f) of the CRL requires that, 120 days prior to the Agency holding a public hearing on the Amendments, the Agency send the proposed Amendments to the Planning Commission for its report and recommendation concerning the proposed Amendments and their conformity to the City's General Plan, pursuant to Government Code section 65402; and

WHEREAS, on March 31, 2010, the Council and Agency authorized staff to proceed with the public hearing process for consideration of Proposed Plan Amendments to Redevelopment Plans in the Merger No. 2 Project Area; and

WHEREAS, on April 19, 2010, the Lead Agency transmitted the Notice of Preparation and Initial Study for the DSEIR to the Planning Commission pursuant to CEQA Guidelines Section 15082 and Public Resources Code section 21080.4; and

WHEREAS, on July 2, 2010, copies of the proposed Amendments; the report described in Section 33333.11(e) of the CRL ("Preliminary Report"); the Notice of Availability; and the DSEIR, were transmitted to the Planning Commission; and

WHEREAS, on July 7, 2010, the Lead Agency published the NOA for the DSEIR in the Fresno Bee and transmitted it to the State Clearinghouse and to other public agencies and individuals pursuant to Public Resources Code Section 21092 and CEQA Guidelines Section 15087; and

WHEREAS, the public comment period of the DSEIR was duly and lawfully closed on August 21, 2010, following a 45 day public comment period, where the public was given the opportunity to comment, in writing, on the adequacy of the DSEIR; and

WHEREAS, at the close of the public review and comment period, the FSEIR was prepared that incorporated comments received on the DSEIR, the Lead Agency's response to the comments, and necessary changes to the text of the DSEIR, pursuant to CEQA Guidelines Sections 15088, 15089 and 15132; and

WHEREAS, Article 6 of the Fresno Municipal Code, Local Planning and Procedures, Sections 12-608 and 12-609, requires that the Planning Commission review proposed redevelopment plan amendments at a noticed public hearing, and at the conclusion thereof to recommend approval, disapproval, or modification of the proposed Amendments; and

WHEREAS, on September 1, 2010, notice of the originally scheduled November 3, 2010, Planning Commission Hearing was distributed by first class mail notice to property owners, residents, and businesses, and published in the Fresno Bee (September 3, 2010, September 10, 2010, September 17, 2010), pursuant to CRL requirements; and

WHEREAS, on October 5, 2010, a second notice of the revised date of October 20, 2010, Planning Commission Hearing was distributed by first class mail notice to property owners, residents, and businesses, and published in the Fresno Bee (October 7, 2010, October 14, 2010, and to be published on October 21, 2010), pursuant to CRL requirements; and

WHEREAS, the Planning Commission members have received the proposed Amendments attached hereto as Exhibit A in sufficient time to comply with the requirements of the CRL; and

WHEREAS, on October 20, 2010, at the public hearing, the Planning Commission reviewed and considered the General Plan, the Edison Community Plan and the applicable Specific Plans, the proposed Amendments to two Constituent Redevelopment Plans in Merger No. 2 Project, the staff report to the Planning Commission, the Preliminary Report, the FSEIR, other reports, testimony, and recommendations from staff, written comments, and testimony in favor of and against the proposed Amendments; and

WHEREAS, pursuant to CEQA Guidelines Section 15132, the FSEIR is required to comply with CEQA; and

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF FRESNO RESOLVES AS FOLLOWS:

Section 1. Findings and Determinations. The Planning Commission, having considered the General Plan, the Edison Community Plan, the applicable Specific plans, the adopted Constituent Redevelopment Plans, the FSEIR, the reports, testimony and other information provided and presented to it at the public hearing, finds and determines that:

1.1 The proposed Amendments are consistent with the City's General Plan and the applicable Specific and Community Plans, as the Constituent Redevelopment Plans currently use the City's General Plan and the Edison Community Plan and the applicable Specific Plans, as may be adopted or amended from time to time, and other general controls and limitations, development standards and all other contents of the Constituent Redevelopment Plans conform with the City's General Plan;

1.2 Without limitation the proposed Plan Amendments also conform with the City's General Plan as follows:

- a. The General Plan Housing Element is advanced by the Agency's revitalization strategy to retain, rehabilitate and improve existing housing units and to provide for new housing infill opportunities for low and moderate income families in the Constituent Redevelopment Project Areas. The Low and Moderate Income

Housing funds generated from the Constituent Redevelopment Project Areas will be utilized to improve the community's supply of low and moderate income housing either within the Southwest Fresno GNRA Constituent Redevelopment Project Area, or within or adjacent to the Fruit/Church Constituent Redevelopment Project Area. It should be noted that the proposed Plan Amendments will involve an increase in the amount of Low and Moderate Income Housing funds from 20% to 30% of Gross Tax Increment funds for both of the Constituent Redevelopment Project Areas. Should any low and moderate income units be destroyed or removed, Redevelopment Law requires that the units be replaced and any affected families relocated either within or proximate to the Project Areas.

- b. The proposed Amendments are consistent with the General Plan policies for the protection of Cultural Resources, as the City's responsibilities and discretion in considering and approving all planning and development processes and entitlements within the Constituent Project Areas are not limited in any way by the Amendments.

1.2 The location, purpose and extent of any real property to be acquired under the authority of the proposed Amendments by dedication or otherwise for street, square, park or other public purposes, any real property to be disposed of, any street to be vacated or abandoned and any public buildings or structure to be constructed within the Constituent Project Areas are in accordance with the City's General Plan and the applicable Specific and Community Plans, consistent with Government Code section 65402 and Fresno Municipal Code, section 12-604

1.3 Based upon its review of the FSEIR, the Planning Commission finds that the FSEIR for the Project is an adequate assessment of the potentially significant environmental impacts of the Merger No. 2 Project, as described in the FSEIR, and sets forth a reasonable range of alternatives to the Merger No. 2 Project. The FSEIR for the Merger No. 2 Project has been completed and is in compliance with the provisions of CEQA, with State and local Guidelines for implementing CEQA, and all other applicable laws and regulations.

1.4 The Merger No. 2 Project may result in significant, unavoidable environmental impacts.

Section 2. Report and Recommendation. The Planning Commission reports and recommends the following to the Agency and Council concerning the proposed Amendments:

2.1 The Planning Commission reports the findings in Section 1, above, to the Agency and the Council.

2.2 The Planning Commission recommends that the Lead Agency exercise its independent judgment in the review and analysis of the FSEIR and certify the proposed FSEIR with all recommendations as presented by staff.

2.3 The Planning Commission recommends the Lead Agency consider adopting an appropriate statement of overriding considerations because significant, unavoidable environmental impacts may result from the Merger No. 2 Project.

2.4 The Planning Commission recommends that the Agency submit the Amendments to the Council, and that the Council adopt an ordinance approving the Amendments.

Section 3. Transmittal. The Secretary of the Planning Commission shall transmit a certified copy of this Resolution, with all attachments, to the Council, and to the Agency for it to include in any Report to the Council and Agency under Health & Safety Code section 33352 or otherwise.

SECRETARY'S CERTIFICATION

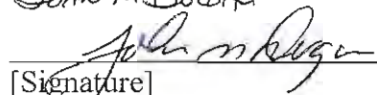
STATE OF CALIFORNIA)
COUNTY OF FRESNO)
CITY OF FRESNO)

I, ~~Keith Berghold~~ ^{John M. Duon}, Secretary of the Fresno City Planning Commission, certify that the Planning Commission, at a regular meeting held October 20, 2010, upon a motion by Commissioner _____, seconded by Commissioner _____, adopted the foregoing Resolution by the following vote:

Ayes:
Noes:
Absent:
Abstain:

Fresno City Planning Commission
~~Keith Berghold~~, Secretary

~~JOHN M. DUON~~


[Signature]

Dated: Oct 20, 2010

Resolution No. 13037
Proposed 2010 Amendments to the Merger
No. 2 Constituent Redevelopment Plans

EXHIBIT A
NINTH AMENDMENT TO THE REDEVELOPMENT PLAN
FOR THE
SOUTHWEST FRESNO GENERAL NEIGHBORHOOD RENEWAL AREA URBAN
RENEWAL PLAN PROJECT

BACKGROUND

On January 14, 1969, by Ordinance No. 69-13, the City Council adopted a redevelopment plan (Redevelopment Plan or Plan) entitled the Urban Renewal Plan for the Southwest Fresno General Neighborhood Renewal Area Project Area and subsequently amended the redevelopment plan eight (8) times by way of Ordinances 72-126, adopted on August 17, 1972, 83-32 adopted on March 1, 1983, 86-203 adopted on December 16, 1986, 94-114 adopted on December 6, 1994, 98-82 adopted on October 20, 1998, 2004-108 adopted on October 19, 2004, 2008-9 adopted on February 26, 2008, and 2009-15 adopted on April 7, 2009, in compliance with the provisions of the CRL (Southwest Fresno Redevelopment Plan); and

The Agency desires to amend the Redevelopment Plan for the Southwest Fresno Project (Amendment), to: 1) extend Plan effectiveness; 2) extend the period for debt repayment and receipt of tax increment; 3) increase the tax increment limit; and 4) extend eminent domain authority:

AMENDMENT

The Redevelopment Plan, as amended, is hereby further amended as follows:

I. Plan Duration

IX. DURATION OF THIS PLAN¹

The duration of the redevelopment plan is extended as follows:

Deleted Text:

“Except the nondiscrimination and non-segregation provisions that shall run in perpetuity, this Plan shall be effective, and the documents formulated pursuant to this Plan may be made effective until ~~January 14, 2012~~. Provided, however, subject to the limitations set forth in Section 502 of this Plan, the Agency may issue bonds and incur

¹ Text and numbering based on Ordinance No. 2004-108 adopted October 19, 2004 as amended to include ERAF extensions in Ordinance No. 2008-9 adopted February 26, 2008.

obligations pursuant to this Plan that extend beyond the termination date' In such event, this Plan shall continue in effect to the extent necessary to permit the full repayment of such bonds or other obligations. After the effectiveness of this Plan terminates, the Agency shall have no authority to act pursuant to this Plan except to pay previously incurred indebtedness and to enforce existing covenants or contracts, with the following exception. If the Agency has not completed its housing obligations pursuant to Section 33413 of the Community Redevelopment Law, including its ability to incur and pay indebtedness for this purpose, and shall use this authority to complete such housing obligations as soon as is reasonably possible."

New Text:

"Except the nondiscrimination and non-segregation provisions that shall run in perpetuity, this Plan shall be effective, and the documents formulated pursuant to this Plan may be made effective until January 14, 2022. Provided, however, subject to the limitations set forth in Section 502 of this Plan, the Agency may issue bonds and incur obligations pursuant to this Plan that extend beyond the termination date' In such event, this Plan shall continue in effect to the extent necessary to permit the full repayment of such bonds or other obligations. After the effectiveness of this Plan terminates, the Agency shall have no authority to act pursuant to this Plan except to pay previously incurred indebtedness and to enforce existing covenants or contracts, with the following exception. If the Agency has not completed its housing obligations pursuant to Section 33413 of the Community Redevelopment Law, including its ability to incur and pay indebtedness for this purpose, and shall use this authority to complete such housing obligations as soon as is reasonably possible."

II. Time Limit to Pay Indebtedness or Receive Tax Increment¹

V. METHODS OF FINANCING THE PROJECT

The provision for the payment of indebtedness or receipt of tax increment shall be extended as follows:

Deleted Text:

"The Agency shall not receive, and shall not repay loans, advance, or other indebtedness to be paid with the proceeds of property taxes from the Project Area pursuant to Section 33670 of the Community Redevelopment Law and this Section 502 beyond January 14, 2022."

New Text

"The Agency shall not receive, and shall not repay loans, advance, or other indebtedness to be paid with the proceeds of property taxes from the Project Area

pursuant to Section 33670 of the Community Redevelopment Law and this Section 502 beyond January 14, 2032."

III. Tax Increment Limit²

V. METHODS OF FINANCING THE PROJECT

The amount of tax increment received by the Agency shall be increased as follows:

Deleted Text

"The portion of taxes divides and allocated to the Agency pursuant to subparagraph two, above, shall not exceed a cumulative total of \$113,000,000.

New Text

"The portion of taxes divides and allocated to the Agency pursuant to subparagraph two, above, shall not exceed a cumulative total of \$339,000,000.

IV. Eminent Domain²

III.D. Property Acquisition

1. Real Property (paragraph 2, third sentence)

Eminent domain authority is reinstated as follows:

Deleted Text:

"The agency will commence any eminent domain proceedings within 12 years from the date that the ordinance adopting the 1998 Ordinance became effective."

New Text:

"The agency will commence any eminent domain proceedings within 12 years from the date that the ordinance adopting this Amendment becomes effective."
Notwithstanding the foregoing or any other provision of this Plan, this Plan shall not authorize the agency to acquire by eminent domain within the Project Area, property on which any person resides. For purposes of this Plan, "property on which any persons reside" shall mean that a person actually lives on the property, that the property is zoned for residential use, or that the residential use on the property is a legally non conforming use, as defined by the Fresno Municipal Code.

² Text and numbering based on Ordinance No. 2004-108 adopted October 19, 2004

**EIGHTH AMENDMENT TO THE REDEVELOPMENT PLAN
FOR THE
FRUIT/CHURCH PROJECT**

BACKGROUND

On October 7, 1971, by Ordinance No. 71-98, the City Council adopted the Redevelopment Plan (Redevelopment Plan or Plan) for the Fruit/Church Project and subsequently amended the redevelopment plan seven (7) times by way of Ordinances 86-205 adopted on December 16, 1986, 94-113 adopted on December 6, 1994, 95-48 adopted on June 13, 1995, 98-83 adopted on October 20, 1998, 2004-109 adopted on October 19, 2004, 2008-9 adopted on February 26, 2008, and 2009-15 adopted on April 7, 2009, in compliance with the provisions of the CRL (Fruit/Church Redevelopment Plan).

The Agency desires to amend the Redevelopment Plan for the Fruit/Church Project (Amendment), to: 1) extend Plan effectiveness; 2) extend the period for debt repayment and receipt of tax increment; 3) increase the tax increment limit; and 4) extend eminent domain authority:

AMENDMENT

The Redevelopment Plan, as amended, is hereby further amended as follows:

I. Plan Duration

IX. DURATION OF THIS PLAN³

The duration of the redevelopment plan is extended as follows:

Deleted Text:

“Except the nondiscrimination and non-segregation provisions that shall run in perpetuity, this Plan shall be effective, and the documents formulated pursuant to this Plan may be made effective until ~~October 7, 2014~~. Provided, however, subject to the limitations set forth in Section 502 of this Plan, the Agency may issue bonds and incur obligations pursuant to this Plan that extend beyond the termination date’ In such event, this Plan shall continue in effect to the extent necessary to permit the full repayment of such bonds or other obligations. After the effectiveness of this Plan

³ Text and numbering based on Ordinance No. 2004-109 adopted October 20, 2004 as amended to include ERAF extensions in Ordinance No. 2008-9 adopted February 26, 2008.

terminates, the Agency shall have no authority to act pursuant to this Plan except to pay previously incurred indebtedness and to enforce existing covenants or contracts, with the following exception. If the Agency has not completed its housing obligations pursuant to Section 33413 of the Community Redevelopment Law, including its ability to incur and pay indebtedness for this purpose, and shall use this authority to complete such housing obligations as soon as is reasonably possible.”

New Text:

“Except the nondiscrimination and non-segregation provisions that shall run in perpetuity, this Plan shall be effective, and the documents formulated pursuant to this Plan may be made effective until October 7, 2024. Provided, however, subject to the limitations set forth in Section 502 of this Plan, the Agency may issue bonds and incur obligations pursuant to this Plan that extend beyond the termination date’ In such event, this Plan shall continue in effect to the extent necessary to permit the full repayment of such bonds or other obligations. After the effectiveness of this Plan terminates, the Agency shall have no authority to act pursuant to this Plan except to pay previously incurred indebtedness and to enforce existing covenants or contracts, with the following exception. If the Agency has not completed its housing obligations pursuant to Section 33413 of the Community Redevelopment Law, including its ability to incur and pay indebtedness for this purpose, and shall use this authority to complete such housing obligations as soon as is reasonably possible.”

II. Time Limit to Pay Indebtedness or Receive Tax Increment¹

V. METHOD OF FINANCING THE PROJECT

The provision for the payment of indebtedness or receipt of tax increment shall be extended as follows:

Deleted Text:

“The Agency shall not receive, and shall not repay loans, advance, or other indebtedness to be paid with the proceeds of property taxes from the Project Area pursuant to Section 33670 of the Community Redevelopment Law and this Section 502 beyond ~~October 7, 2024~~.”

New Text

“The Agency shall not receive, and shall not repay loans, advance, or other indebtedness to be paid with the proceeds of property taxes from the Project Area pursuant to Section 33670 of the Community Redevelopment Law and this Section 502 beyond January 14, 2034.”

III. Tax Increment Limit⁴

V. METHOD OF FINANCING THE PROJECT

The amount of tax increment received by the Agency shall be increased as follows:

Deleted Text

"The portion of taxes divides and allocated to the Agency pursuant to subparagraph two, above, shall not exceed a cumulative total of ~~\$21,000,000~~.

New Text

"The portion of taxes divides and allocated to the Agency pursuant to subparagraph two, above, shall not exceed a cumulative total of \$63,000,000.

IV. Eminent Domain²

III.D. Property Acquisition

2. Real Property (paragraph 2, third sentence)

Eminent domain authority is reinstated as follows:

Deleted Text:

"The agency will commence any eminent domain proceedings within 12 years from the date that the ordinance adopting ~~the 1998 Ordinance became~~ effective."

New Text:

"The agency will commence any eminent domain proceedings within 12 years from the date that the ordinance adopting this Amendment becomes effective."

Notwithstanding the foregoing or any other provision of this Plan, this Plan shall not authorize the agency to acquire by eminent domain within the Project Area, property on which any person resides. For purposes of this Plan, "property on which any persons reside" shall mean that a person actually lives on the property, that the property is zoned for residential use, or that the residential use on the property is a legally non conforming use, as devined by the Fresno Municipal Code.

⁴ Text and numbering based on Ordinance No. 2004-109 adopted October 20, 2004

**Appendix 10: Correspondence and Documents
Regarding the Agency's Conformance with the City's
Housing Element**

Redevelopment Agency of the City of Fresno



2344 Tulare Street, Suite 200 • Fresno, California 93721 • (559) 621 7600 • (559) 498-1870 (Fax)

July 26, 2010

Lynn L. Jacobs, Director
California Department of Housing and Community Development
1800 Third Street
Sacramento, CA 95811-6942

Re Transmittal of Request Pursuant to CRL Section 33333.10 (h)(3)
Regarding the Proposed Amendments to Redevelopment Plans in Merger
No 2

Dear Mr. Jacobs

The Redevelopment Agency of the City of Fresno is in the process of updating the two Redevelopment Plans for Merger No. 2, which is comprised of the Fruit/Church and Southwest Fresno Redevelopment Project Areas (the "Constituent Plans"). The proposed plan amendments provide for the updating of the plan duration, debt repayment, tax increment limit, and eminent domain time limit for the two Constituent Plans (the "Proposed Amendments"). Extensions to the plan time and financial limits for the Constituent Plans need to be undertaken in order to continue to carry out the revitalization efforts in Southwest Fresno and Fruit/Church (including but not limited to Edison Plaza Mixed Use Phase II, California Avenue Revitalization, California Triangle Housing, Hope VI Infill, Sequoia Village/EAH Housing, etc.).

The proposed Plan Amendments are being prepared pursuant to Sections 33333.10 and 33333.11 of the Community Redevelopment Law ("CRL"). Enclosed, pursuant to Section 33333.10 (h)(3) are copies of:

- 1) Schedule C, Agency Financial and Program Detail for FY 2008-09, which identifies that the Agency has not accumulated an excess surplus in its Low and Moderate Income Housing Fund,
- 2) December 23, 2009, Confirmation Notice from HCD's On-Line Reporting System that the Agency's Annual HCD Report for FY 2008-09 was filed electronically;
- 3) December 11, 2009, Compliance Letter from Agency's independent auditor, Brown Armstrong Certified Public Accountants regarding FY 2008-09 State Controllers Report

Please confirm in writing your determination that the Agency has complied with the requirements of Section 33333.10(h)(3). Should you have questions, please call Mr. David Martin at (559) 621-7600.

Sincerely,

Marlene Murphey
Executive Director

Enclosures

California Redevelopment Agencies - Fiscal Year 2008/2009

Status of Low and Moderate Income Housing Funds

Sch C Agency Financial and Program Detail

FRESNO CITY

	Beginning Balance	\$5,915,131	
	Adjustment to Beginning Balance	\$0	
	Adjusted Beginning Balance	\$5,915,131	
Total Tax Increment From PA(s)	\$4,428,785	Total Receipts from PA(s)	\$6,640,241
		Other Revenues not reported on Schedule A	\$756,237
	Sum of Beginning Balance and Revenues		\$13,311,609

Expenditure			
<u>Item</u>	<u>Subitem</u>	<u>Amount</u>	<u>Remark</u>
Housing Construction			
		\$707,041	
	Subtotal of Housing Construction	\$707,041	
Housing Rehabilitation			
		\$718,901	
	Subtotal of Housing Rehabilitation	\$718,901	
On/Off-Site Improvements			
		\$269,989	
	Subtotal of On/Off-Site Improvements	\$269,989	
Planning and Administration Costs			
Administration Costs		\$394,653	
Professional Services		\$5,990	
	Subtotal of Planning and Administration Costs	\$400,643	
Property Acquisition			
Acquisition Expense		\$67,664	
Land Purchases		\$559,289	
	Subtotal of Property Acquisition	\$626,953	

California Redevelopment Agencies - Fiscal Year 2008/2009
Status of Low and Moderate Income Housing Funds
Sch C Agency Financial and Program Detail
FRESNO CITY

<u>Expenditure</u>			
<u>Item</u>	<u>Subitem</u>	<u>Amount</u>	<u>Remark</u>
Subsidies from the LMIHF			
Other		\$689,432	Loan Write-offs \$25,182; Loans/Notes Receivable \$164,250; Bad Debts \$500,000
	Subtotal of Subsidies from the LMIHF	\$689,432	
	Total Expenditures	\$3,412,959	

Net Resources Available \$9,898,650

Indebtedness For Setasides Deferred \$0

Other Housing Fund Assets			
<u>Category</u>		<u>Amount</u>	<u>Remark</u>
Loan Receivable for Housing Activities		\$2,074,361	
Other		\$5,777,217	Property Held for Resale \$5,777,217
	Total Other Housing Fund Assets	\$7,851,578	

Total Fund Equity \$17,750,228

2004/2005	\$2793516			
2005/2006	\$2953782			
2006/2007	\$3509429	sum of 4 Previous Years'	Prior Year Ending	Excess Surplus for
2007/2008	\$4220372	Tax Increment for 2008/2009	Unencumbered Balance	2008/2009
		\$13477099	\$5,915,131	\$0

Sum of Current and 3 Previous Years' Tax Increments \$15,112,368

Adjusted Balance \$7,698,650

Excess Surplus for next year \$0

Net Resources Available \$9,898,650

Unencumbered Designated \$7,698,650

Unencumbered Undesignated \$0

Total Encumbrances \$2,200,000

Unencumbered Balance \$7,698,650

California Redevelopment Agencies - Fiscal Year 2008/2009

Status of Low and Moderate Income Housing Funds

Sch C Agency Financial and Program Detail

FRESNO CITY

Unencumbered Balance Adjusted for Debt Proceeds	\$0
Unencumbered Balance Adjusted for Land Sales	\$0
Excess Surplus Expenditure Plan	No
Excess Surplus Plan Adoption Date	

Site Improvement Activities Benefiting Households

<u>Income Level</u>	<u>Low</u>	<u>Very Low</u>	<u>Moderate</u>	<u>Total</u>
---------------------	------------	-----------------	-----------------	--------------

Land Held for Future Development

<u>Site Name</u>	<u>Num Of Acres</u>	<u>Zoning</u>	<u>Purchase Date</u>	<u>Estimated Start Date</u>	<u>Remark</u>
Berkeley Block	1.2	C4	02/28/2007	01/01/2012	Berkeley Block Area
Community Housing Partnership Program - Infill	.54	R1, R2, R2A, C6	03/17/2003	02/01/2012	4 Infill lots for new residential construction - projects on hold due to market
Annadale & Elm	7.4	CP, R1	02/01/2008	02/01/2011	Planned for 130 units of senior housing and 100 units of family housing
Summer Hill Place (San Benito and B)	3	R2		02/01/2011	Planned for 52 units of family housing
California Triangle	3.17	R2		02/01/2012	Planned for 30 to 60 units of affordable housing
Hope VI	3.93	R1	10/31/2005	06/01/2010	DDA is being negotiated with the project managed by the Housing Authority

Use of the Housing Fund to Assist Mortgagees

Income Adjustment Factors		Requirements Completed	
---------------------------	----------------------	------------------------	----------------------

Home	\$	Hope	\$
------	-------------------------	------	-------------------------

Non Housing Redevelopment Funds Usage

Resource Needs

LMIHF Deposits/Withdrawals

<u>Document Name</u>	<u>Document Date</u>	<u>Custodian Name</u>	<u>Custodian Phone</u>	<u>Copy Source</u>
----------------------	----------------------	-----------------------	------------------------	--------------------

California Redevelopment Agencies - Fiscal Year 2008/2009
Status of Low and Moderate Income Housing Funds
Sch C Agency Financial and Program Detail
FRESNO CITY

Achievements

Description

Project Type: Major Rehabilitation, Minor Rehabilitation, New Infill Construction
Fresno Redevelopment Agency
Contact: John Raymond (559) 621-7600
Project Name: Community Housing Partnership Program (CHPP)

Description

During Fiscal Year 2008-2009, a total of 72 major and minor rehabilitation projects were completed through the CHPP. The Program involves a comprehensive Housing Program within six core areas of the City of Fresno, based upon a Target Area approach that emphasizes minor rehabilitation, major rehabilitation, and the infill (new construction and major rehabilitation) of single family homes.

History

In June 2000, the Agency and the Fresno City and County Housing Authorities developed the Community Housing Partnership Program (CHPP). Both parties entered into a contract with the Housing Authority assuming certain responsibilities for the management of the program, on behalf of the Agency, within and in adjacent neighborhoods of 17 of the Agency's adopted Redevelopment Project Areas. A total of 1,481 rehabilitation projects have been completed since the program's inception.

Confirmation of Redevelopment Agency On-Line Filing of Annual HCD Report

To: State Controller
Division of Accounting and Reporting
Local Government Reporting Section
P.O.Box. 942850
Sacramento, CA 94250

This notice is automatically generated by HCD's On-Line Reporting System. The purpose is to inform and verify to the SCO that the redevelopment agency electronically filed the annual HCD report and HCD, by this notice, electronically received the annual HCD report.

Below identifies the reporting redevelopment agency, authorized person who filed the report, and the date and time HCD received the agency's annual report:

Redevelopment Agency: FRESNO CITY
Agency Administrator: Marlene Murphey
Date: 12/23/2009
Time: 12:10 pm

Note to Redevelopment Agency:

Send this notice and a copy of the agency's independent auditor's report and financial statement to the SCO at the above address. *It is not necessary to submit a paper copy of HCD's reporting schedules to either the SCO or HCD.*

Peter C. Brown, CPA
Burton H. Armstrong, CPA, MST
Andrew J. Paulden, CPA
Steven R. Starbuck, CPA
Chris M. Thornburgh, CPA
Eric H. Xin, CPA, MBA
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■ **Main Office**
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■ 8365 N. Fresno Street, Suite 440
Fresno, California 93720
Tel 559.476.3592 Fax 559.476.3593

**INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER
FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS
(INCLUDING THE PROVISIONS CONTAINED IN THE GUIDELINES FOR
COMPLIANCE AUDITS OF REDEVELOPMENT AGENCIES) BASED ON AN
AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE
WITH GOVERNMENT AUDITING STANDARDS**

Members of the Board
Redevelopment Agency
City of Fresno, California

We have audited the financial statements of the governmental activities, each major fund, and the aggregate remaining fund information of the Redevelopment Agency of the City of Fresno, California (Agency), a component unit of the City of Fresno, California, as of and for the year ended June 30, 2009, and have issued our report thereon dated December 11, 2009. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and *Government Auditing Standards*, issued by the Comptroller General of the United States, Section 33080 1(a) of the Health and Safety Code of the State of California, and the procedures contained in the Controllers of the State of California "Guidelines for Compliance Audits of California Redevelopment Agencies."

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the Agency's internal control over financial reporting as a basis for designing our auditing procedures for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Agency's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the Agency's internal control over financial reporting.

A control deficiency exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect misstatements on a timely basis. A significant deficiency is a control deficiency, or combination of control deficiencies, that adversely affects the Agency's ability to initiate, authorize, record, process, or report financial data reliably in accordance with generally accepted accounting principles such that there is more than a remote likelihood that a misstatement of the Agency's financial statements that is more than inconsequential will not be prevented or detected by the Agency's internal control.

A material weakness is a significant deficiency, or combination of significant deficiencies, that results in more than a remote likelihood that a material misstatement of the financial statements will not be prevented or detected by the Agency's internal control.

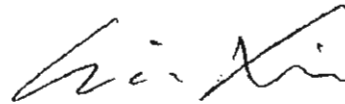
Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and would not necessarily identify all deficiencies in internal control that might be significant deficiencies or material weaknesses. We did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses, as defined above.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Agency's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. Such provisions include those provisions of laws and regulations identified in the *Guidelines for Compliance Audits of California Redevelopment Agencies* issued by the State Controller's Office, Division of Accounting and Reporting. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

This report is intended solely for the information and use of the Agency's Board, management, and the State Controller's Office, Division of Accounting and Reporting and is not intended to be and should not be used by anyone other than these specified parties.

BROWN ARMSTRONG
ACCOUNTANCY CORPORATION



Bakersfield, California
December 11, 2009

Appendix 11: Draft SEIR

**Fresno Merger No. 2 Redevelopment Plan
Amendments Project**

**Draft Subsequent
Environmental Impact Report**

SCH No. 2010041058

Prepared for:

Redevelopment Agency of the City of Fresno
2344 Tulare Street, Suite 200
Fresno, CA 93721
Contact: David Martin
(559) 621-7630

Prepared by:

ICF Jones & Stokes
5558 California Avenue, Suite 310
Bakersfield, CA 93309
Contact: Steven Esselman
(661) 859-1852

July 2010

ICF Jones & Stokes. 2010. Fresno Merger No. 2 Redevelopment Plan Amendments Project. Draft Subsequent Environmental Impact Report. July. (ICF J&S 00438.10.) Bakersfield, CA. Prepared for: Redevelopment Agency of the City of Fresno.

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Executive Summary

Executive Summary

Introduction

The Fresno Merger No. 2 Redevelopment Plan Amendments Project (Project) encompasses separate constituent project areas, described below, each of which has its own constituent redevelopment plan. The two constituent project areas are as follows:

- Southwest Fresno General Neighborhood Renewal Area (GNRA), and
- Fruit/Church.

The separate constituent project areas are collectively referred to as the project area. The Project would 1) extend the ability of the Redevelopment Agency of the City of Fresno (Agency) to acquire property within the project area through the use of eminent domain and 2) amend specific time and financial limits for the constituent project areas, as described below. The Project also includes updating mitigation measures previously adopted in conjunction with the *Final Program EIR 10125, Merged Redevelopment Project II: Southwest Fresno GNRA, Fruit/Church Redevelopment Project Area, SCH No. 97092072, August 1998* (1998 EIR) (Redevelopment Agency of the City of Fresno 1998).

The Agency and the City of Fresno (City) are collectively the Lead Agency pursuant to the California Environmental Quality Act (CEQA) for the preparation of the draft subsequent environmental impact report (Draft SEIR) for the Project. This executive summary identifies the purpose of the Draft SEIR, provides an overview of the Project and alternatives, summarizes the potential impacts and mitigation measures associated with the Project, and includes the required contents set forth by CEQA Statutes and State CEQA Guidelines.

Purpose of the Draft SEIR

Prior to a discretionary action regarding the Project, the Lead Agency is required to conduct an environmental review to consider the environmental effects or consequences of its decision. The purpose of this Draft SEIR is to evaluate the potential environmental impacts associated with the Project and identify mitigation measures and alternatives to the Project that may reduce or eliminate impacts.

Project Description

Project Location and Existing Conditions

The project area is within the southwestern part of the City and surrounded by built land uses, including various residential, commercial, public facility, and industrial land uses as well as some open space. Figure ES-1 shows the boundaries of the project area and each constituent project area. Figure ES-2 shows the current general plan land use designations within the project area. Figure ES-3 shows the current City zoning designations within the project area.

The following general plan land use designations can be found within the project area (see Figure ES-2):

- Open Space,
- Commercial,
- Commercial/Mixed-Use Level 1 (Central Area),
- Commercial/Mixed-Use Level 2 (Central Area),
- Freeway,
- Industrial/Heavy,
- Industrial/Light,
- Public Facility,
- Railroad, and
- Residential (Central Area).

Zoning Designations

The following City zoning designations can be found within the project area (see Figure ES-3):

- Neighborhood Commercial (C-1),
- Mixed-Use Commercial (C-2),
- General Commercial (C-5),
- Heavy Commercial (C-6),
- Commercial and Light Manufacturing (C-M),
- Administrative and Professional Offices (C-P),
- Light Manufacturing (M-1),
- Heavy Manufacturing (M-3),

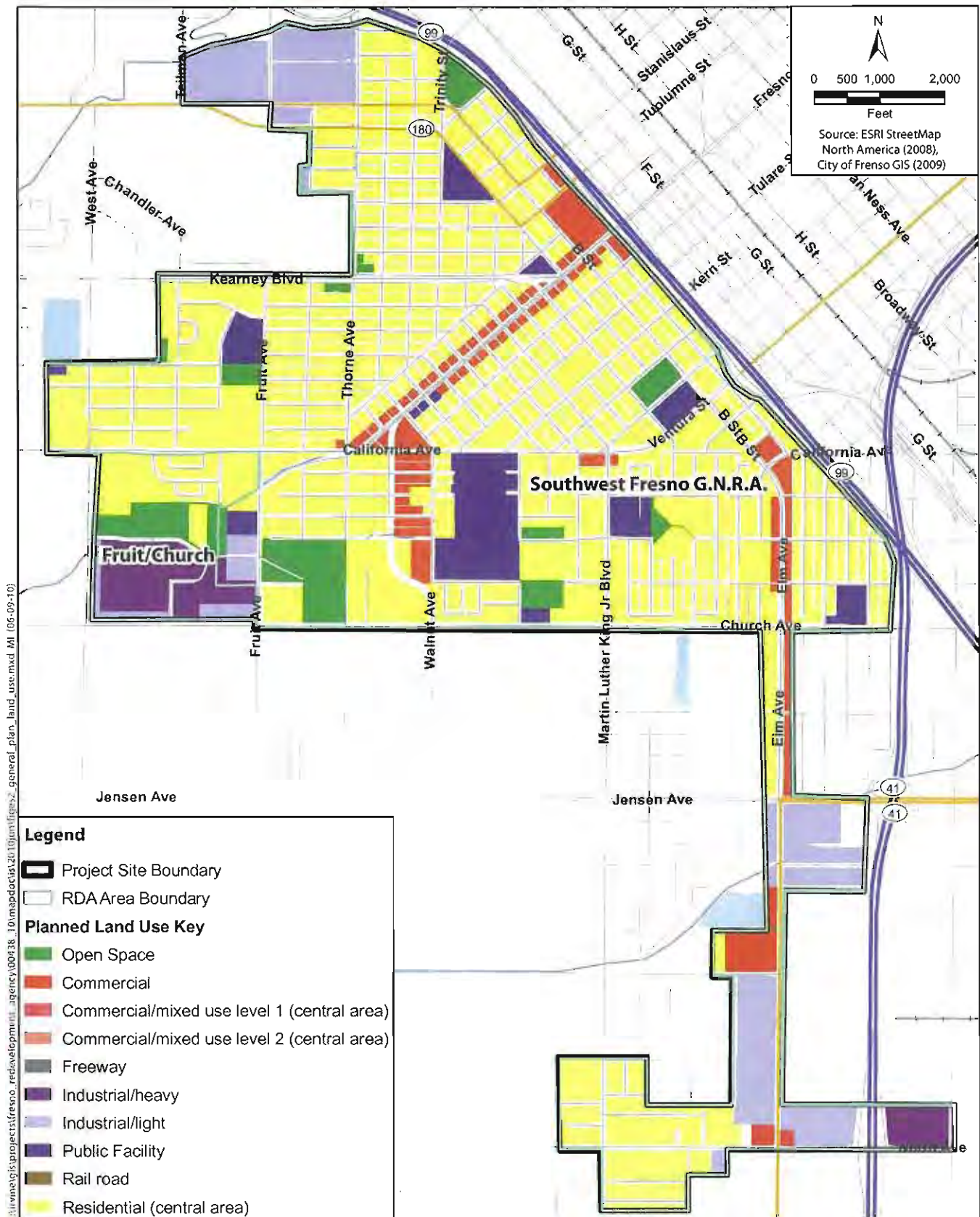
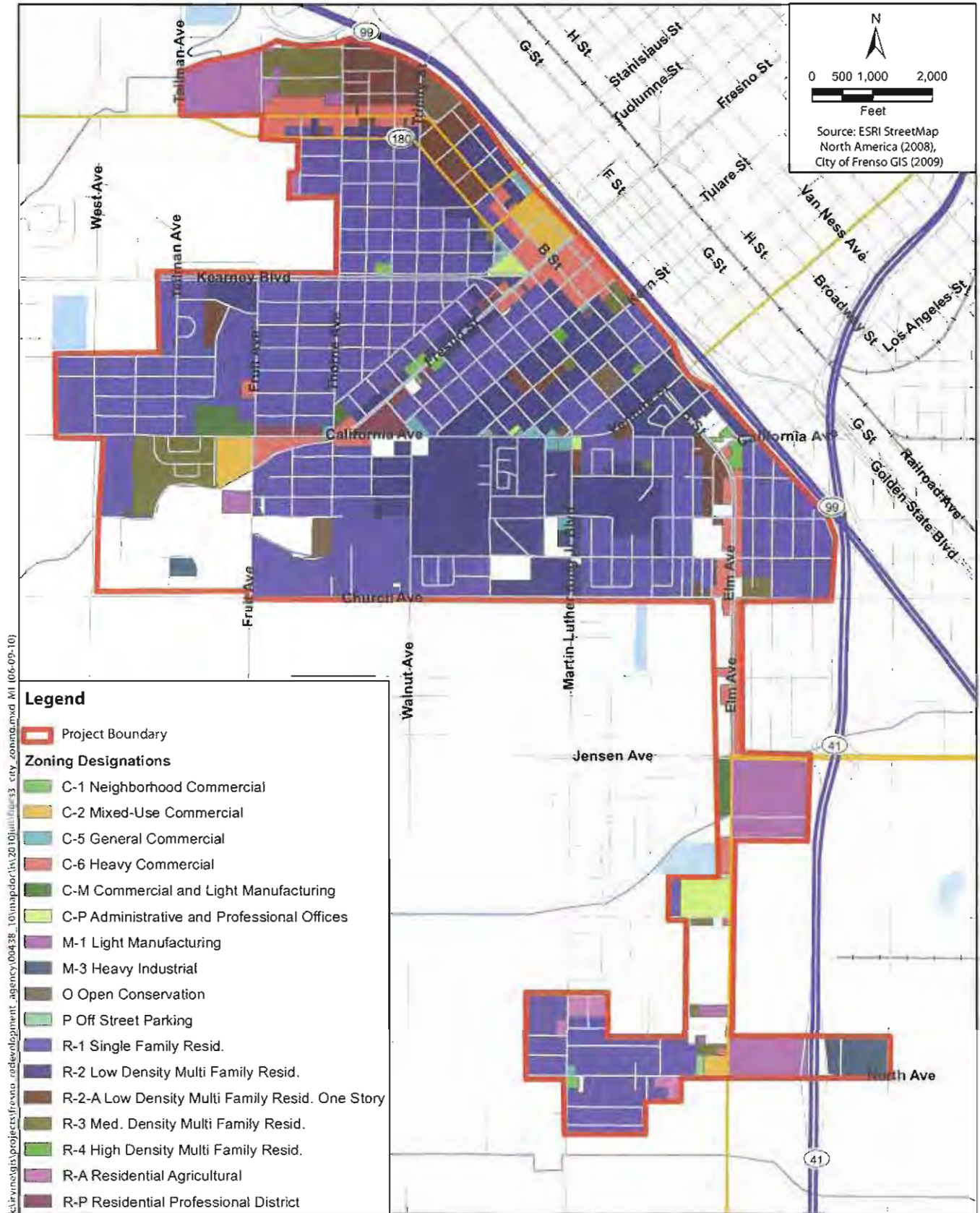


Figure ES-2

General Plan Land Use Designations



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Figure ES-3
City Zoning Designations

- Open Conservation (O),
- Off-Street Parking (P),
- Single-Family Residential (R-1),
- Low-Density Multifamily Residential (R-2),
- One-Story Low-Density Multifamily Residential (R-2-A),
- Medium-Density Multifamily Residential (R-3),
- High-Density Multifamily Residential (R-4),
- Residential Agriculture (R-A), and
- Residential Professional District (R-P).

Project Objectives

As described in the 1998 EIR and summarized in the preliminary report, the Agency has the following objectives for redevelopment activities within the project area:

- The elimination and prevention of the spread of blight and deterioration throughout the project area through redevelopment activities;
- The promotion of new and continuing private sector and government agency investment within the project area to prevent the loss of economic activity and to facilitate such activity;
- The retention and expansion of existing businesses where possible through redevelopment and rehabilitation activities as well as efforts to encourage owners, businesses, and public agencies to cooperate and participate in the revitalization of the project area;
- The expansion and improvement of the City's housing supply (inside and outside the project area), including opportunities for low- and moderate-income families and households; and
- The elimination or amelioration of deficiencies, such as substandard vehicular circulation systems; inadequate water, sewer, or storm drainage systems; insufficient off-street parking; and other similar public facility and utility deficiencies that affect the project area adversely.

The primary objective of the Project is to allow the Agency to continue implementing a comprehensive economic development strategy that will alleviate conditions associated with "blight areas," which affect the project area. The provisions of the California Redevelopment Law relative to tax increment limits, time limits on the effectiveness of a redevelopment plan, and use of eminent domain require the Agency to take the actions described above to continue undertaking effective redevelopment activities within the project area.

The updated mitigation measures included in this Draft SEIR would also allow the Agency to undertake its activities while providing for more effective consideration, conservation, and protection of historic resources.

Proposed Project

The Project consists of proposed amendments to two redevelopment plans. The Project encompasses separate constituent project areas, described below, each of which has its own constituent redevelopment plan. The two constituent project areas are as follows:

- Southwest Fresno GNRA, and
- Fruit/Church.

The separate constituent project areas are collectively referred to as the project area. Figure ES-1 shows the boundaries of each constituent project area.

The existing redevelopment plans authorize the Agency to acquire property within the project area by eminent domain. Under the power of eminent domain, the Agency can purchase private property at fair market value within the project area as part of its redevelopment efforts. Pursuant to California Redevelopment Law (California Health and Safety Code Section 33000 et seq.), the existing redevelopment plans have an expiration date.

The Project would extend the Agency's ability to acquire property within the project area through the use of eminent domain and would amend specific time and financial limits for the constituent project areas. The eminent domain time-limit extension would not be used for "occupied residential properties" within the project area, but eminent domain would be available for other nonresidential uses (e.g., commercial, industrial) and for vacant residential properties (e.g., vacant land, vacant buildings). The Project would also include the updating of mitigation measures previously adopted in conjunction with the 1998 EIR. Specifically, the Project would consist of the redevelopment plan amendments listed below.

- Increase the tax increment limits for the Southwest Fresno GNRA and Fruit/Church Constituent Redevelopment Plans.
- Increase the time limit on the effectiveness of the Southwest Fresno GNRA and Fruit/Church Constituent Redevelopment Plans.
- Increase the time limit to receive the tax increment and repay bonded indebtedness for the Southwest Fresno GNRA and Fruit/Church Constituent Redevelopment Plans.
- Increase the time limit on the Agency's authority to use eminent domain in both of the constituent project areas. The eminent domain time-limit extension would not be used for "occupied residential properties" within the project area, but eminent domain would be available for other nonresidential uses and for vacant residential properties.

An environmental impact report was adopted by the Agency in 1998 when the two redevelopment plans were previously revised. This Draft SEIR proposes to make the following revision to the mitigation measures contained in that 1998 EIR.

- Augment existing 1998 EIR cultural resources mitigation:
 - Retain mitigation measure 3.15-4 from the 1998 EIR and add clarifying language stating that the existing mitigation would require the City to complete intensive-level historic building surveys for the project area (Project Area Survey) to California Office of Historic Preservation (OHP) standards (as described in *Instructions for Recording Historic Resources*, Appendix 6: Types of Survey Activities). Phase I archaeological surveys would also be performed for these constituent project areas concurrently with the intensive-level historic building surveys as part of the Project Area Survey; and
 - Require that applicants follow a survey protocol to be applied within the project area for historic resources during the discretionary approval phase of a proposed development. Similar to certified language for mitigation measure 3.15-4 in the 1998 EIR, this approach would apply while the Project Area Survey is completed to allow processing and approval of proposed development projects to continue.

Please see Section 3B, Cultural Resources, for more information regarding additional proposed mitigation.

Requested Entitlements and Approvals

The Agency's specific entitlement objective under this environmental document is for the Agency board and the city council to adopt amendments to the two redevelopment plans, the Final SEIR, and the Mitigation Monitoring and Reporting Program (MMRP) report.

Environmental Impacts

Impacts Not Considered in This SEIR

The contents of this Draft SEIR were established based on an initial study (IS) and notice of preparation (NOP) prepared in accordance with the State CEQA Guidelines as well as public and agency input received during the scoping process. The IS was comprehensive and addressed every environmental issue contained within the environmental checklist, Appendix G of the State CEQA Guidelines. Those specific issues that were found to have no impact or less-than-significant impacts during preparation of the IS are not addressed further in this Draft SEIR. The resource areas removed from consideration are as follows:

- Aesthetics,
- Agricultural Resources,
- Biological Resources,
- Geology and Soils,
- Hazards and Hazardous Materials,
- Hydrology and Water Quality,
- Land Use and Planning,
- Mineral Resources,
- Population and Housing,
- Public Services,
- Recreation,
- Transportation and Traffic, and
- Utilities and Service Systems.

Please see the IS in Appendix B for more information.

Impacts of the Project

Sections 3A through 3D provide a detailed discussion of the environmental setting, impacts associated with the Project, and mitigation measures designed to reduce significant impacts to less-than-significant levels, when feasible. The impacts, mitigation measures, and residual impacts for the Project are summarized in Table ES-1, at the end of this Executive Summary, and are discussed further below.

Summary of Less-than-Significant Impacts

This Draft SEIR addresses all potentially significant environmental impacts that were identified by the Lead Agency during the NOP scoping process and public review period for this Draft SEIR. After further study and environmental review, this Draft SEIR determined that no impacts on resource areas were less than significant without mitigation. Mitigation measures may be prescribed, however, to ensure impacts are minimized to the most practical and feasible extent.

Summary of Significant Impacts That Can Be Mitigated, Avoided, or Substantially Lessened

After further study and environmental review, this Draft SEIR determined that impacts related to air quality, cultural resources, greenhouse gas emissions, and noise would be significant and would not be mitigated, avoided, or substantially lessened. The mitigation measures considered are discussed in Chapter 3 and summarized in Table ES-1.

Summary of Significant and Unavoidable Impacts

After further study and environmental review, this Draft SEIR determined that impacts related to the following resource areas would be significant and unavoidable, even with mitigation.

Air Quality

The Draft SEIR determined that direct and cumulative air quality impacts would be significant and unavoidable. Similar to the 1998 EIR, this Draft SEIR concludes that, with mitigation, impacts on air quality would remain significant and unavoidable as a result of the Project. Although incorporation of the practices outlined in Section 3A, Air Quality, and full compliance with all San Joaquin Valley Air Pollution Control District (SJVAPCD) rules and regulations would certainly temper air quality impacts that would result from full buildout of the project area, these impacts would not be reduced to a less-than-significant level. The region is in extreme violation of the federal ozone standard as well as PM_{2.5} standards, and even small emissions from development that occurs as a result of the Project could exacerbate this violation.

Cultural Resources

The Draft SEIR also determined that direct and cumulative cultural resource impacts would be significant and unavoidable. Similar to the 1998 EIR, this Draft SEIR concludes that, with mitigation, impacts on cultural resources would remain significant and unavoidable as a result of the Project. Additionally, similar to the 1998 EIR, this Draft SEIR concludes that the Project would result in cumulatively considerable cultural resource impacts that would be significant and unavoidable as a result of site acquisition and clearance; indirect effects related to differences in scale, bulk and mass, architectural style, and color; and loss of continuity or association between a historic resource and its surroundings.

Greenhouse Gas Emissions

Mitigation measures CC-1 and CC-2, when fully incorporated into future development projects within the project area, would lessen greenhouse gas (GHG) emissions and possibly even achieve the target set out in the SJVAPCD CEQA guidance of reducing emissions to a level 29% below business-as-usual conditions. Without a quantitative analysis of GHG emissions from the specific construction activities and operations proposed, it is not possible to know if the aforementioned measures would indeed achieve that target. Quantitative analysis is not possible because the Project would not result in full buildout of the general plan within the project area; rather, it would support redevelopment projects on select sites. The sites and the extent of the redevelopment projects are not known at this time. Nevertheless, for the Project to achieve a broad reduction goal of 29% below business-as-usual conditions, which is in line with the state's goals, action is also required of many third parties, including the California Air Resources Board (CARB), U.S. Environmental Protection Agency (EPA), and SJVAPCD. This includes adopting and fully implementing GHG reduction requirements, which would be applicable to numerous sectors. Based on an abundance of caution, the Lead Agency concludes that GHG emissions from the Project would be cumulatively considerable.

Under CEQA, the consideration of climate change GHG emissions was not a requirement in 1998, and impacts related to climate change and GHG emissions were not analyzed in the 1998 EIR. Therefore, pursuant to State CEQA Guidelines Section 15162, as part of the Project, a new cumulative climate change/greenhouse GHG emissions impact would result that was not already disclosed in the 1998 EIR.

Noise

This Draft SEIR has also determined that direct and cumulative impacts on noise would be significant and unavoidable. The Master Environmental Impact Report (MEIR) for the City General Plan (2002b) concluded that, with mitigation, direct impacts within the City would be significant and unavoidable. Specifically, the impacts on facilities constructed near freeways and railroads would be significant. Forecast traffic noise levels for 2025 would exceed the 60 dBA Community Noise Equivalent Level (CNEL) (or 60 dBA L_{dn}) significance threshold throughout much of the project area. The MEIR concluded that 2025 traffic noise levels adjacent to some freeways and arterials within the project area would exceed 70 dBA CNEL, the exterior noise level above which most standard noise abatement measures are incapable of reducing interior and exterior noise levels to levels that would satisfy the allowable noise limits specified by the noise element. The MEIR also concluded that future cumulative increases in traffic and railroad activity would cause excessive future noise levels within many portions of the project area near freeways and railroads.

Growth-Inducing Impacts

The 1998 EIR concluded that future development could result in small population gains in the project area due to the construction of new housing units (Redevelopment Agency of the City of Fresno 1998). However, impacts on the population would generally be positive and not significant because housing programs within the project area would help the City to meet its housing objectives and, in compliance with California Redevelopment Law, provide low- and moderate-income housing (Redevelopment Agency of the City of Fresno 1998). Future development may also bring additional people to the metropolitan Fresno area as a result of job opportunities created by future development.

Future development within the project area is expected to be consistent with population forecasts adopted by the Council of Fresno County Governments, allowing Fresno to accommodate its fair share of the regional growth forecast (City of Fresno 2002a). The Project is already accounted for in the general plan and growth projections for the area. In addition, the project description requires the Project to remain consistent with the current general plan and future updates.

The Project would not induce population growth beyond that previously disclosed in the 1998 EIR, nor would it result in the extension of infrastructure (e.g., roads, potable water lines, sewer lines, etc.) that would facilitate future development in nonurban areas, such as open space on the fringes of the City. The project area is surrounded by existing urban areas where infrastructure is already in place. While some infrastructure would need to be rehabilitated or replaced because of deterioration or capacity needs, general plan population forecasts would be accommodated.

The 1998 EIR concluded that growth in the project area would be consistent with the general plan population forecasts and that future development would not adversely affect the City's ability to accommodate future growth. No substantive changes have occurred since certification of the 1998 EIR to indicate that the Project would result in new or more severe direct or indirect impacts from growth.

Significant Irreversible Changes to the Environment

The Project would not result in project-level development but, rather, would programmatically facilitate possible future development beyond the current time limits. Therefore, the Project would not directly result in significant irreversible environmental changes.

Indirectly, the Project would facilitate future development, which would require the use of nonrenewable resources—such as metal alloys and aggregate resources—for construction. In addition, limited amounts of fuel would be used in the construction phase of future development. Operation of the Project would require the use of nonrenewable resources, such as fuel, which would be consumed by vehicles of both residents and employees while traveling to or from

the project area or making deliveries. Depending on the type of future development, the use of nonrenewable resources could, for example, be associated with fabrication or assembly activities.

The Project would not significantly increase the consumption of nonrenewable resources and would not significantly commit future generations to the unnecessary exploitation of nonrenewable resources. While various natural resources, such as construction materials and energy resources, would, as a result of the Project, be used for future development, the use of these resources, relative to similar urban development in the region, would not result in substantial resource depletion.

Alternatives to the Proposed Project

CEQA states that an EIR (including an SEIR) must address “a range of reasonable alternatives to a project, or to the location of a project, that are ostensibly feasible and could attain the basic objectives of a project and evaluate the comparative merits of the alternatives.” Based on the objectives for the Project, four alternatives were considered for inclusion in this Draft SEIR:

- Reduced Constituent Project Area Alternative,
- Reduced Time and Financial Time Limits Alternative,
- Other Entity or Entities Alternative, and
- No-Project Alternative.

Of these four alternatives, only the No-Project Alternative was given further consideration, for reasons explained below.

The Reduced Constituent Project Area Alternative was eliminated from further consideration because it failed to meet most of the objectives for the Project and did not avoid or substantially reduce any significant environmental effects in accordance with State CEQA Guidelines Section 15126.6(c). The Reduced Time and Financial Time Limits Alternative was also eliminated from further consideration because it too failed to meet the objectives of the Project. The Other Entity or Entities Alternative was also eliminated from further consideration because it was speculative and did not need to be considered in this Draft SEIR.

The 1998 EIR analyzed three possible alternatives (i.e., No-Project Alternative, Separate Project Areas Alternative, and Modified Development Scale Alternative) but determined that they would not meet some or all of the objectives for the Project and would not substantially lessen the significant effects of the Project. There is no new information to indicate that circumstances have changed since 1998. Please refer to Chapter 5, Alternatives Analysis, for a full discussion of why these alternatives were eliminated from further consideration in this Draft SEIR.

No-Project Alternative

The one alternative identified and considered further in this Draft SEIR by the Lead Agency is the No-Project Alternative. The Lead Agency determined that, in compliance with State CEQA Guidelines Section 15126.6(e), the No-Project Alternative is the only alternative that must be examined.

Section 15126.6(e) of the State CEQA Guidelines requires the analysis of a “no project” alternative. This no-project analysis must discuss the existing condition as well as what would be reasonably expected to occur in the foreseeable future if a project were not to be approved. Since the Project is the amendment (or revision) of two existing redevelopment plans (constituent redevelopment plans), Section 15126.6(e)(3)(A) of the State CEQA Guidelines is directly applicable to the Project:

When a project is the revision of an existing land use or regulatory plan, policy, or ongoing operation, the “no project” alternative will be the continuation of the existing plan, policy, or operation into the future. Typically, this is a situation where other projects initiated under the existing plan will continue while the new plan is developed. Thus, the projected impacts of the proposed plan or alternative plans would be compared to the impacts that would occur under the existing plan.

If the Project were not approved, the constituent redevelopment plans would not be amended. The expiration dates for two redevelopment plans would not be extended and would eventually lapse. Ultimately, the Agency would not be able to undertake redevelopment activities in the project area after October 17, 2014 (the expiration date for the Fruit/Church Constituent Project Area). The proposed expiration date for the Fruit/Church Constituent Project Area is October 17, 2024.

If the constituent redevelopment plans are not amended, the tax increment for the two constituent redevelopment plans would not be increased, the time limit on the payment of indebtedness and receipt of property taxes would not be increased, and the time limit for the utilization of eminent domain would not be increased (see Chapter 2, Project Description, for specifics about proposed eminent domain time limit changes).

If the constituent redevelopment plans are not amended, existing historic resource mitigation would not be augmented.

Alternatives Analysis

The Lead Agency decided to provide a full analysis of the No-Project Alternative in this Draft SEIR. This does not necessarily mean that this alternative has been found to be feasible or that it would reduce or eliminate impacts compared with the Project. Table ES-2 provides a summary of the alternative impact analysis.

The Draft SEIR concludes that the Project would be environmentally superior to the No-Project Alternative because it would likely result in lesser aesthetic and cultural resources impacts than the No-Project Alternative.

Areas of Controversy

Written agency and public comments received during the public review period are provided in Appendix D. In summary, the following project-related issues were identified during scoping and, where appropriate, are addressed in the appropriate sections of this Draft SEIR:

- air quality impacts,
- global climate change, and
- impacts on historic resources.

Availability of This Draft SEIR

This Draft SEIR for the Project is being circulated to the public and agencies for review and comment. During the 45-day public review period, which began on July 7, 2010, and will end on August 21, 2010, this Draft SEIR will be available for general public review at the following locations.

Redevelopment Agency of the City of Fresno
2344 Tulare Street, Suite 200
Fresno, CA 93721

Fresno City Clerk
2600 Fresno Street, 2nd Floor
Fresno, CA 93721

Fresno County Central Library
2420 Mariposa Street
Fresno, CA 93721.

Supporting documents not included in this Draft SEIR are available for general public review at Redevelopment Agency of the City of Fresno, 2344 Tulare Street, Suite 200, Fresno, CA 93721. This Draft SEIR will also be available for general public review on the Agency's web site (<http://www.fresnorda.com>).

Interested parties may provide written comments on this Draft SEIR (postmarked by July 29, 2010). Please address comments to

Mr. David Martin, Project Manager
Redevelopment Agency of the City of Fresno
2344 Tulare Street, Suite 200
Fresno, CA 93721
Fax: (559) 498-1870

Upon completion of the 45-day public review period, written responses to all comments regarding environmental issues discussed in the Draft SEIR will be prepared and incorporated into the Final SEIR. The Final SEIR will be presented to the City's Planning Commission and Housing and Community Development Commission for a recommendation to the Agency board and city council. The presentation to the City Planning Commission will be at a scheduled public hearing. After receiving a recommendation, the Final SEIR will be sent to the Agency board and city council pursuant to CEQA and California Redevelopment Law requirements in a joint meeting for certification of the Final SEIR and making a decision on the Project.

Written responses to comments received from any state agencies will be made available to these agencies at least 10 days before the city council meeting at which certification of the Final SEIR will be considered. These comments, and their responses, will be included in the Final SEIR for consideration by the Agency and City as well as any other decision makers.

Issues to Be Resolved

Section 15123(b)(3) of the State CEQA Guidelines requires an EIR (including an SEIR) to contain a discussion of the issues to be resolved, including the choice among alternatives and whether or how to mitigate significant impacts. The major issues to be resolved pertaining to the Project will require decisions by the Lead Agency regarding whether

- the SEIR adequately describes the environmental impacts of the Project,
- the recommended mitigation measures should be adopted or modified,
- additional mitigation measures need to be applied to the Project, or
- the proposed amendments to the 1998 EIR should or should not be adopted.

Table ES-1. Summary of Project Environmental Impacts, Mitigation Measures, and Residual Impacts

Impact	Level of Significance	Mitigation Measure	Residual Impact
AIR QUALITY			
Impact AQ-1. The Project would violate an air quality standard or contribute substantially to an existing or projected air quality violation.	Potentially Significant	MM AQ-1. Recommended Air Quality Mitigation for Future Development. The following general mitigation measures are recommended for all future development within the project area. I. Comply with all SJVAPCD constructions rules and regulations aimed at curbing fugitive dust and emissions from construction equipment. Construction mitigation measures that could be required of future development within the project area include the following: a. Structural Demolition i. Water the following areas for the duration of the demolition activities: 1. building exterior surfaces, 2. unpaved surface areas where equipment will operate, 3. razed building materials, and 4. unpaved surface areas within 100 feet of structure during demolition. b. Pre-Activity i. Pre-water the work site and phase work to reduce the amount of disturbed surface area at any one time, and ii. Phase work to reduce the amount of disturbed surface area at any one time. c. Active Operations i. Effectively control fugitive dust emissions from all land clearing, grubbing, scraping, excavation, leveling, grading, cut-and-fill, and demolition activities by applying water or presoaking; ii. Construct and maintain wind barriers, and apply water or dust suppressants to the disturbed surface areas;	Significant and Unavoidable

Impact	Level of Significance	Mitigation Measure	Residual Impact
		iii. Apply water or dust suppressants to unpaved haul/access roads and unpaved vehicle/equipment traffic areas; iv. Limit or expeditiously remove the accumulation of mud or dirt from adjacent public roads at least once every 24 hours during all operations. (The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit visible dust. The use of blower devices is also expressly forbidden.); v. Operate construction equipment no longer than 8 cumulative hours per day; and vi. Ensure off-road engines comply with Tier II or above engine standards.	
		d. Inactive Operations, Including After Hours, Weekends, and Holidays i. Effectively stabilize all disturbed areas, including storage piles that are not being actively used for construction purposes, of dust emissions using water, chemical stabilizer/suppressant, or vegetative ground cover; ii. Apply water or dust suppressants on disturbed surface areas to form a visible crust; iii. Restrict vehicle access to maintain the visible crust; and iv. Shut down equipment when not in use for extended periods of time, and minimize idling time (i.e., 15-minute maximum).	
		e. Temporary Stabilization of Areas that Remain Unused for 7 or More Days i. Restrict vehicular access, and apply and maintain water or dust suppressants at all unvegetated areas; ii. Establish vegetation on all previously disturbed areas; iii. Apply gravel, and maintain at all previously disturbed areas; and iv. Pave previously disturbed areas.	

Impact	Level of Significance	Mitigation Measure	Residual Impact
		f. Unpaved Access and Haul Roads, Traffic, and Equipment Storage Areas i. Effectively stabilize all on-site unpaved roads and off-site unpaved access roads of dust emissions using water or chemical stabilizer/suppressant; ii. Post speed limit signs of not more than 15 miles per hour at each entrance and again every 500 feet; iii. Apply water or dust suppressants to vehicle traffic and equipment storage areas; and iv. Install sandbags or other erosion-control measures to prevent silt runoff to public roadways from sites with a slope greater than 1%. g. Wind Events i. Apply water to control fugitive dust during wind events, unless unsafe to do so; and ii. Cease outdoor construction activities that disturb the soil whenever visible dust emissions cannot be effectively controlled. h. Outdoor Handling of Bulk Materials i. Apply water or dust suppressants when handling bulk materials, and ii. Install and maintain wind barriers with less than 50% porosity, and apply water or dust suppressants. i. Outdoor Storage of Bulk Materials i. Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, effectively stabilize said piles of fugitive dust emissions using a sufficient amount of water or chemical stabilizer/suppressant; ii. Cover storage piles with tarps, plastic, or other suitable material and anchor in such a manner that prevents the cover from being removed by wind action;	

Impact	Level of Significance	Mitigation Measure	Residual Impact
		iii. Install and maintain wind barriers with less than 50% porosity around the storage piles, and apply water or dust suppressants; and iv. Use a three-sided structure (< 50% porosity) that is at least as high as the storage piles. j. On-site Transporting of Bulk Materials i. Limit vehicle speed on the work site; ii. Load all haul trucks such that the freeboard is not less than 6 inches when transported across any paved public-access road; iii. Apply a sufficient amount of water to the top of the load to limit visible dust emissions; and iv. Cover haul trucks with a tarp or other suitable cover. k. Off-site Transporting of Bulk Materials i. Clean or cover the interior of emptied truck cargo compartments before leaving the site; ii. Prevent spillage or loss of bulk materials from holes or other openings in the cargo compartment's floor, sides, or tailgate; iii. Cover haul trucks with a tarp or other suitable cover or load them such that the freeboard is not less than 6 inches when transported on any paved public-access road to or from the project site, and apply a sufficient amount of water to the top of the load to limit visible dust; and iv. Install sandbags or other erosion-control measures to prevent silt runoff onto public roadways from sites with a slope greater than 1%. l. Outdoor Transport Using a Chute or Conveyor i. Fully enclose chute or conveyor; ii. Use water spray equipment to sufficiently wet the materials; and iii. Wash or screen transported materials to remove fines (PM10 or smaller).	

Impact	Level of Significance	Mitigation Measure	Residual Impact
		m. Valley Fever Mitigation i. All disturbed areas, including storage piles that are not being actively used for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, or vegetative ground cover; ii. Crews shall be required to use respirators during project clearing, grading, and excavation operations in accordance with California Division of Occupational Safety and Health regulations; iii. Construction roads shall be paved or treated with environmentally safe dust-control agents; iv. Where acceptable to the fire department, weed growth shall be controlled by mowing instead of discing, thereby leaving the ground undisturbed and with a mulch covering; v. During rough grading and construction, the access way into the project site from adjoining paved roadways shall be paved or treated with environmentally safe dust-control agents; and vi. Existing residents located near later phases of construction shall be notified prior to soil-disturbing activities and advised regarding reducing their exposure to dust potentially containing valley fever fungus through methods such as limiting outdoor activities, keeping windows closed, or frequently cleaning or replacing air intake filters for air-conditioning systems. 2. Comply with all current review and permitting procedures developed by the SJV APCD for stationary and area-source emissions, including Rule 9510. Compliance with Rule 9510 shall be demonstrated before issuance of the first grading and/or building permits for a project. 3. Comply with all current and future SJV APCD rules and regulations, including, Regulation VIII, Rule 2010, Rule 2201, Rule 4002, Rule 4102, Rule 4601, and Rule 4641. 4. Individual projects may exercise the option of entering into a VERA with the SJV APCD to reduce emissions to less than significant.	

Impact	Level of Significance	Mitigation Measure	Residual Impact
		5. Design projects in conformity with the RTP and Sustainable Communities Strategy, when adopted and to the extent applicable. 6. Mitigation measures aimed at curbing emissions from long-term operations are measures that would be consistent with land use strategies outlined in the general plan and general plan updates. Such measures would encourage alternative transportation. These measures would reduce automobile usage and emissions during operation of the Project. Proposed policies of the air quality update (City of Fresno 2009) to promote emissions reductions through planning include the following: a. Incorporate multi-use activity centers and high-intensity transportation corridor concepts; b. Implement the City's Urban Growth Management Program; c. Promote infill and appropriately intensified development within the center city and other appropriate locations near transportation routes; d. Implement mixed-use development guidelines to provide more pedestrian-oriented neighborhoods; e. Require subdivisions and other residential development designs that facilitate pedestrian access to bus stops and other transportation routes; f. Maintain and improve transit-related requirements for development, including on-site bus parking; g. Expand programs to reduce VMT, stop-and-go traffic, and congestion through various strategies, such as optimized signal timing, interconnected signals, computer-based controls, and traffic-actuated signals; h. Aid in completing the City's network of alternative bicycle and pedestrian transportation routes; i. Provide for the installation and maintenance of landscaping that promotes good air quality;	

Impact	Level of Significance	Mitigation Measure	Residual Impact
		j. Support employer programs for staggered work hours, telecommuting, and worker incentives (i.e., to use carpools and/or public transit); k. Continue efforts to improve the technical performance, emission levels, and system operations of the Fresno Area Express bus; l. Evaluate and pursue long-range transportation measures such as express bus, light rail, and mass transit corridors; HOV lanes; and City acquisition of land for bus turning and parking; and m. Install bike lanes, paths, and trails.	
Impact AQ-2. The Project would result in a cumulatively considerable net increase in a criteria pollutant for which the project region is in nonattainment under an applicable federal or state ambient air quality standard.	Potentially Significant	MM AQ-2. Recommended Cumulative Air Quality Mitigation for Future Development. • Implement MM AQ-1 to the extent applicable. • Conform with the 2007 Ozone Plan, 2007 PM10 Plan, and 2008 PM 2.5 Plan to the extent they are applicable. • Design projects in conformity with the RTP and Sustainable Communities Strategy, when adopted and to the extent they are applicable.	Significant and Unavoidable
CULTURAL RESOURCES			
Impact CR-1. The Project would cause a significant adverse change in the significance of a historical resource as defined in Section 15064.5.	Potentially Significant	MM CR-1. Conduct Historic Building Surveys and Archaeological Surveys of the Project Area. <i>The City shall conduct a Historic Building Survey of the Merger II Project Area [1998 EIR MM 3.15-5].</i> The City shall conduct a historic building survey of all pre-1965 resources and an archaeological survey of the project area (Project Area Survey). The Project Area Survey shall be conducted in accordance with California OHP standards for intensive-level surveys (see Table 3B-1) and <i>National Register Bulletin 24</i>, Guidelines for Local Surveys: A Basis for Preservation Planning. All related studies will be carried out by or under the direct supervision of individuals who meet the Secretary of the Interior's Professional Qualifications Standards (36 CFR Part 61, Table 2) and will be consistent with City of Fresno, as a certified local government, Planning and Development	Significant and Unavoidable

Impact	Level of Significance	Mitigation Measure	Residual Impact
		Department protocols for the relevant field of study in the appropriate discipline (history, archaeology, or architectural history) (see Table 3B-2). Such work shall be coordinated and reviewed by City of Fresno historic preservation staff and the City of Fresno Historic Preservation Commission (HPC). <u>Survey Criteria</u> The Project Area Survey shall evaluate resources by applying the following national, state, and local criteria: • National Register of Historic Places Criteria for Evaluation (36 CFR Section 60.4); • California Register of Historical Resources Criteria for Evaluation (14 CCR Section 4852.); and • City of Fresno Historic Resources Designation Criteria (FMC 13-406). <u>Research Design</u> Before the first survey is completed, a research design shall be developed by the City and submitted to City historic preservation staff and the HPC for review and comment. According to OHP (Table 3B-1, Item 3), the research design examines current knowledge of a relevant historic context or contexts, defines resource types associated with that context, and establishes expectations regarding survey results (e.g., where resources will be found, how many of each type, etc.). The research design may simply refer to a previously published design if it is applicable and reasonably current. The City shall ensure that HPC's comments are incorporated into the research design and that the relevant historic context(s), resource types, and registration requirements are developed accordingly. <u>Survey Report and HPC Review</u> <i>The City shall consider and implement the recommendations of the survey to the extent feasible [1998 EIR MM 3.15-5]. The City shall provide a draft Project Area Survey report to historic preservation staff and the HPC for review and comment. Comments shall address the</i>	

Impact	Level of Significance	Mitigation Measure	Residual Impact
		adequacy of the survey's results; the eligibility of identified historical resources for federal, state, and local eligibility; and whether adjustments need to be made to the research design. Based on the HPC comments received, the City may revise the survey report accordingly, conduct additional research, or conduct an additional survey. The City shall provide the final survey report to historic preservation staff and the HPC for review and final approval.	
		<u>Timeframe</u>	
		The Project Area Survey shall be completed before January 2015.	
		Table 3B-1. OHP Standards for Intensive-Level Surveys	
		Information regarding how to conduct and report survey activities can be found in <i>National Register Bulletin 24</i> (National Park Service 1985), the <i>Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation</i> (National Park Service 1983), and the <i>California Historic Resources Survey Workbook</i> (Office of Historic Preservation 1986). Appendix 6 (in relevant part below) summarizes the fundamental topics that the Secretary of the Interior recommends covering in reports describing reconnaissance and intensive surveys, while more detailed suggestions are offered in <i>Archaeological Resource Management Reports (ARMR): Recommended Contents and Format</i> (Office of Historic Preservation 1989): A reconnaissance survey entails a systematic effort to identify and summarize information about historical resources in a given area. Reports documenting reconnaissance surveys should provide thorough documentation of objectives and expectations of the survey, the methods used to discover resources, and the adequacy of such efforts. While reconnaissance surveys may employ widely different strategies, the reports prepared to document them should minimally contain the following kinds of information: 1. A clear statement of the purpose of the survey; 2. A definition of the survey area (with map of areas examined); 3. A research design that examines current knowledge of a relevant	

Impact	Level of Significance	Mitigation Measure	Residual Impact
		historic context or contexts, defines resource types associated with that context, and establishes expectations regarding survey results (e.g., where resources will be found, how many of each type, etc.). The research design may simply refer to a previously published one if it is applicable and reasonably current; 4. A definition of the methods that were used during the survey. If a variety of methods are used, the area covered by each method should be separately depicted on the survey coverage map listed in Item 2 (above); 5. A summary of the results of the survey including a map depicting resource locations, analysis of findings relative to the study's research design, discussion of any limitations of the survey, and individual records for all identified heritage resources. Intensive surveys go beyond the systematic identification and description of historical resources to encompass the evaluation of those properties within a historic context. Thus, in addition to the five categories of information needed for a reconnaissance survey, the report documenting an intensive survey should also contain: 6. An evaluation of heritage resources identified during the survey as determined within a historic context using the National Register criteria (or CEQA criteria if appropriate). 7. Evidence that evaluation was conducted and confirmed by an appropriately qualified professional. Source: Office of Historic Preservation 1995.	

Table 3B-2. Professional Qualifications Standards

The following requirements are those used by the National Park Service and have been previously published in 36 CFR Part 61. The qualifications define minimum education and experience required to perform identification, evaluation, registration, and treatment activities. In some cases, additional areas or levels of expertise may be needed, depending on the complexity of the task and the nature of the historic properties involved. In the following definitions, a year of full-time professional experience need not

Impact	Level of Significance	Mitigation Measure	Residual Impact
		consist of a continuous year of full-time work but may be made up of discontinuous periods of full-time or part-time work adding up to the equivalent of a year of full-time experience. History The minimum professional qualifications in history are a graduate degree in history or closely related field or a bachelor's degree in history or closely related field plus one of the following: 1. At least 2 years of full-time experience in research, writing, teaching, interpretation, or other demonstrable professional activity with an academic institution, historic organization, or agency, museum, or other professional institution; or 2. Substantial contribution through research and publication to the body of scholarly knowledge in the field of history. Archaeology (including historic archaeology) The minimum professional qualifications in archeology are a graduate degree in archeology, anthropology, or closely related field plus: 1. At least 1 year of full-time professional experience or equivalent specialized training in archeological research, administration, or management; 2. At least 4 months of supervised field and analytic experience in general North American archeology, and 3. Demonstrated ability to carry research to completion. In addition to these minimum qualifications, a professional in prehistoric archeology shall have at least 1 year of full-time professional experience at a supervisory level in the study of archeological resources of the prehistoric period. A professional in historic archeology shall have at least 1 year of full-time professional experience at a supervisory level in the study of archeological resources of the historic period.	

Impact	Level of Significance	Mitigation Measure	Residual Impact
		Architectural History The minimum professional qualifications in architectural history are a graduate degree in architectural history, art history, historic preservation, or closely related field, with coursework in American architectural history, or a bachelor's degree in architectural history, art history, historic preservation, or a closely related field plus one of the following: - At least 2 years of full-time experience in research, writing, or teaching in American architectural history or restoration architecture with an academic institution, historical organization or agency, museum, or other professional institution; or - Substantial contribution through research and publication to the body of scholarly knowledge in the field of American architectural history. Source: Secretary of the Interior's Professional Qualifications Standards (as amended and annotated) (36 CFR Part 61)	

MM CR-2. Survey Protocol for Future Development Projects. For the purposes of this mitigation measure, "development project" means the whole of an action that has the potential to result in either a direct physical change to the environment or a reasonably foreseeable indirect physical change involving improvements proposed to be undertaken by any public agency, private developer, or property owner on a site pursuant to a building permit, site plan application, or other development entitlement or development agreement with the City, Agency, or other public agency. A development project includes clearing or grading of land, improvement of existing structures, construction or remodeling or expansion of buildings, landscaping, construction of parking structures or areas, public improvements, and related improvements that could adversely affect potentially historic resources or cause below-grade ground disturbance. "Development project site" is defined as the footprint of the development project, which includes all grading areas

Impact	Level of Significance	Mitigation Measure	Residual Impact
		required for the construction of structures, utility improvements, and road improvements necessary for the development project. The “development project study area” is defined using the area of potential effects (APE) standard as defined in 36 CFR Part 800.16(d) of the federal regulations for the protection of historic properties. The definition of APE, according to 36 CFR Part 800, is “the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist. The APE is influenced by the scale and nature of an undertaking and may be different for different kinds of effects caused by the undertaking.” The development project study area, or its APE, shall be determined by the qualified consultant (see Table 3B-2) and recommended to the City of Fresno and Redevelopment Agency. The development project study area is defined as the area of direct impact (ADI) for historic archaeology. The ADI is limited to the exact location of the development project site. The ADI will have both a horizontal (surface coverage) and a vertical scope (depth of excavations for grading as well as footings, sub-floors, and utility installations). The following survey protocol shall apply to all development projects defined in this section within the subject area before, during, and after the survey described in MM CR-1 are completed. The following survey protocol shall be implemented for surveyed and unsurveyed areas in the project area during the discretionary approval phase and shall be developed in conformance with California Public Resources Code Sections 5020–5029.5. Associated Phase I historic archaeological surveys shall commence concurrently with the intensive-level historic building surveys for each development project. <u>Historic Buildings Survey Protocol</u> Prior to the approval and issuance of development project-related entitlements, the development project applicant shall retain the appropriate preservation consultant to conduct an intensive-level historical resources survey (see Table 3B-1) assessment. This consultant must meet the Secretary of Interior’s professional qualifications for history or architectural history (see Table 3B-2) and	

Impact	Level of Significance	Mitigation Measure	Residual Impact
		be approved by the City's Historic Preservation Office prior to initiation of the following tasks. The six tasks required for an intensive-level survey and CEQA analysis are as follows:	
		1. <i>Each structure on a proposed development site shall be evaluated to determine if it is 45 years or more in age [1998 EIR MM 3.15-4]. The 45-year age criterion in this Draft SEIR is more stringent and is an augmentation to the original mitigation measure, which had a 50-year age criterion. Survey work shall be conducted per the OHP, which recommends a 45-year age criterion for surveying properties for historical significance (Office of Historic Preservation 1995). This allows 5 years for a development project to obtain all necessary approvals and entitlements while ensuring that all 50-year-old structures within a development project study area have been surveyed to OHP standards when all final approvals and entitlements have been granted, even if their obtainment takes up to 5 years. Record all resources located within a proposed development project study area, including buildings constructed prior to 1968, appropriate infrastructure, landscapes and street furniture, on State of California DPR Primary and Building, Structure, and Object forms (DPR 523A and B) and/or Primary and District Record forms (DPR 523A and D), following guidelines published in the California Office of Historic Preservation's handbook, <i>Instructions for Recording Historical Resources</i> (1995). If the Project Area Survey or other surveys have commenced at the time of the discretionary approval, the latest survey criteria, research design, HPC comments, and results developed at that time shall be incorporated into the documentation.</i>	
		2. <i>Should a structure meet the age criteria, it shall be evaluated to determine its eligibility for listing on the National Register, California Register, and the City's Official Local List of Historic Places [1998 EIR MM 3.15-4]. The consultant shall evaluate the significance and integrity of all resources of the development project study area for eligibility for listing in the National Register, the California Register, and the City's Local Register. If the Project Area Survey or other surveys have commenced at the time of the</i>	

Impact	Level of Significance	Mitigation Measure	Residual Impact
		discretionary approval, the latest survey criteria, research design, HPC comments, and results developed at that time shall be incorporated into the evaluation.	
		3. Submit a draft copy of the intensive-level historic resources survey for each development project to City historic preservation staff for review and comment. Upon receipt, comments shall be incorporated into the survey documentation accordingly, and the assessment shall be finalized. The requirements for submitting an intensive-level survey to OHP standards are found in Table 3B-1. 4. <i>Should a property be determined eligible for listing on the City's official list, the procedures under this mitigation measure ... shall apply as follows: Should a development project have the potential to cause the demolition of a listed historic structure or adversely affect the criteria under which the structure was eligible for listing, prior to development project approval the City and/or the Agency shall demonstrate that it has reasonably explored and considered alternatives to the development project including the rehabilitation and adaptive reuse of the affected structure, or relocation of the structure [1998 EIR MM 3.15-4]. The term "listed historic structure" is hereby defined to also include historical resources identified as significant in a case-by-case survey.</i> Section 15064.5(a)(2) of the State CEQA Guidelines states that "historical resources identified as significant in a historical resource survey meeting the requirements of Section 5024.1(g) of the Public Resources Code shall be presumed to be historically or culturally significant." 5. Propose feasible mitigation measures and recommend conditions of approval (if a local government action) to lessen and/or avoid significant development project effects on designated historical resources and those resources determined eligible for local, state, or federal level designation, following Section 15064.5 of the State CEQA Guidelines. Development of appropriate mitigation measures and conditions of approval shall be conducted in concert with the City's historic preservation staff.	

Impact	Level of Significance	Mitigation Measure	Residual Impact
		6. Prepare a technical resources report documenting the inventory process, identification of resources, evaluation of development project impacts, and proposed mitigation of potential impacts on resources within the development project site. Submit a final hard copy and a CD with an electronic file in PDF format of the report to the City's Planning and Development Department for review and approval. Upon completion of an intensive-level historic resources survey for a development project, Lead Agency staff or City historic preservation staff shall refer to the HPC for its review and recommendations regarding any property found (as defined by Fresno Municipal Code Section 12-1604(b)) to be a potential candidate for listing on the City's Local Register or a potential historic resource within the meaning of PRC Section 21084.1 and State CEQA Guidelines Section 15064.5. <i>Notices and orders issued for violations of the housing code, dangerous building ordinance, and exterior building maintenance ordinance, as related to properties 45 years of age and older, shall be made available to the City's historic preservation staff and the HPC for their recommendations on surveying, assessing, and preserving potential historic resources under these circumstances [1998 EIR MM 3.15-4]. The 45-year age criterion is an augmentation to the original mitigation measure, which had a 50-year age criterion.</i> <u>Historic Archaeological Site Evaluation Protocol</u> Should buried archaeological resources be discovered during the course of construction, those activities that would adversely affect the resource shall cease and the City of Fresno Planning and Development Department shall be notified. The developer shall consult a qualified archeologist and the archaeological inventory to determine the significance of the find and feasible mitigation measures. The Fresno County Coroner shall be contacted. The Native American Heritage Commission shall be immediately contacted if the remains are suspected to be Native American in origin [1998 EIR MM 3.15-1].	

Impact	Level of Significance	Mitigation Measure	Residual Impact
		Prior to the approval and issuance of development project-related entitlement, the development project applicant shall retain the appropriate preservation consultant to conduct a historic archaeological Phase I assessment. This consultant must meet the Secretary of Interior's professional qualifications for archaeology (historic) and be approved by the City's historic preservation staff prior to initiation of the following tasks. The archaeological consultant shall initiate an archeological investigation to determine whether there are sub-surface historic archaeological deposits that pre-date the buildings within the development project site or if there is the potential to yield sub-surface historic archaeological deposits in the development project study area. This work will entail the following tasks: - Conduct additional archival work specific to the history of the various parcels as necessary to determine the potential for the presence and location of subsurface deposits and/or features of historic archeological significance. Resource materials will include Sanborn fire insurance maps, city directories, historic photographs, church records, previous surveys, and City building permits; - To effectively focus and maximize the efforts to identify buried archeological deposits, the archaeologist on behalf of the applicant will determine an ADI; - Should archival research indicate a high potential for sub-surface deposits within the ADI, the archaeologist will conduct on-site archeological testing consisting of ground penetrating radar (GPR) and/or backhoe or other mechanical trenching. Limited hand excavations will be employed to investigate the potential for buried historic deposits/features in the area identified as the ADI; - The City, based on the results and evaluation of the subsurface investigation and archaeologist's professional judgment, in consultation with the City's historic preservation staff, will determine if there are any buried historic archeological deposits that meet the criteria for historical significance as defined in the State CEQA Guidelines. If there are, the City will continue consultation to determine whether further investigative measures (i.e., data recovery, mitigation measures, curation, etc.) are warranted; and	

Impact	Level of Significance	Mitigation Measure	Residual Impact
		e. A technical resources report documenting the inventory process, identification of resources, evaluation of development project impacts, and proposed mitigation of resources within the development project site shall be prepared by the archaeologist. A final hard copy and a CD with an electronic file in PDF format of the report shall be submitted to the City's Planning and Development Department for review and approval.	
GREENHOUSE GAS EMISSIONS			
Impact GHG-1. The Project would generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.	Potentially Significant	MM CC-1. Incorporate GHG Reduction Measures Identified in Planning Documents Adopted by Fresno County and the SJVAPCD. The Agency will impose a combination of the following measures to reduce GHG emissions from any individual project or development entitlement that it approves by 29% from business as usual (BAU). The measures shall be imposed as part of a development agreement or other binding and enforceable requirement upon developers or other development entities. The Agency will also abide by this measure for development projects that are its own projects. <u>City of Fresno General Plan</u> The following measures, as listed in the air quality update to the general plan (City of Fresno 2009), shall be pursued, where feasible: • Encourage development proponents to offset or mitigate emissions by removing older, less-efficient and higher emitting vehicles from service; • Develop a policy for emission credits generated through City facilities, programs, and policies; • Increase efforts to incorporate GHG emission reductions into land use decisions, facility design, and operational measures subject to Agency jurisdiction; • Consider strengthening Agency standards for purchasing low-polluting and climate friendly goods and services; • Prioritize energy and water conservation through various measures; • Maintain current levels of achievement for recycling and reuse;	Significant and Unavoidable

Impact	Level of Significance	Mitigation Measure	Residual Impact																		
		• Make transportation services more efficient; and • Continue to enhance landscaping consistent with energy and water conservation principles. Additionally, many of the measures and policies set forth in the City General Plan that aim to reduce criteria pollutant emissions (listed in MM AQ-1) will also reduce GHGs. Implementation of these measures shall be pursued to the greatest extent feasible. <u>SJVAPCD GHG Guidance</u> Appendix J of the Final SJVAPCD GHG Guidance (2009) identifies several GHG emissions reduction measures. Each of these strategies has been assigned a land use type for which a reduction point value can be claimed. Point values are used to approximate the emission reduction factor associated with particulate control measures. The following best performance standards (BPS) have been selected from Appendix J because they are the most applicable to projects that may be developed in the plan area. Reduction potentials, as well as land use types, are also provided. Please refer to Appendix J of the Final SJVAPCD GHG Guidance (2009) for the stipulations and requirements of each measure.																			
		<table><tr><th>GHG Reduction Measure^a</th><th>Applicable Land Use</th><th>CO₂e Point Reduction</th></tr><tr><td>Bike Parking</td><td>C, M</td><td>0.625</td></tr><tr><td>End-of-Trip Facilities</td><td>C, M</td><td>0.625</td></tr><tr><td>Bike Parking at Multi-Unit Residential</td><td>R</td><td>0.625</td></tr><tr><td>Pedestrian Network</td><td>C, M, R</td><td>0.5-1</td></tr><tr><td>Pedestrian Barriers Minimized</td><td>C, M, R</td><td>1</td></tr></table>	GHG Reduction Measure ^a	Applicable Land Use	CO ₂ e Point Reduction	Bike Parking	C, M	0.625	End-of-Trip Facilities	C, M	0.625	Bike Parking at Multi-Unit Residential	R	0.625	Pedestrian Network	C, M, R	0.5-1	Pedestrian Barriers Minimized	C, M, R	1	
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End-of-Trip Facilities	C, M	0.625																			
Bike Parking at Multi-Unit Residential	R	0.625																			
Pedestrian Network	C, M, R	0.5-1																			
Pedestrian Barriers Minimized	C, M, R	1																			

Impact	Level of Significance	Mitigation Measure			Residual Impact
		GHG Reduction Measure ^a	Applicable Land-Use	CO ₂ e Point Reduction	
		Bus Shelter for Existing or Planned Transit Service	C, M, R	0.25-0.5	
		Traffic Calming	C, M, R	0.25-1	
		Paid Parking	C, M, R	0.6-5	
		Minimum Parking	C, M, R	3	
		Pedestrian Pathway through Parking	C, M, R	0.5	
		Office/Mixed Use Proximate to Transit	C, M	0.2-1.5	
		Orientation toward Existing of Planned Transit, Bikeway, or Pedestrian Corridor	C, M, R	0.25-0.5	
		Residential Density ^b	R	0-6	
		Neighborhood Electric Vehicle Access	C, M, R	0.5-1.5	
		Urban Mixed Use ^c	M	1-9	
		Suburban Mixed Use	C, M, R	3	
		Other Mixed Use	M, R	1	
		Energy Star Roof	C, M, R	0.5	
		On-site Renewable Energy System	C, M, R	1	
		Exceed Title 24	C, M, R	1	
		Solar Orientation	R	0.5	
		Non-Roof Surfaces	C, M, R	1	

Impact	Level of Significance	Mitigation Measure	Residual Impact																		
		<table><thead><tr><th>GHG Reduction Measure^a</th><th>Applicable Land-Use</th><th>CO₂e Point Reduction</th></tr></thead><tbody><tr><td>Green Roof</td><td>C, M, R</td><td>0.5</td></tr><tr><td colspan="3">(C) Commercial, (M) Mixed Use, (R) Residential</td></tr><tr><td colspan="3">^aThe SJVAPCD stresses that the BPS outlined above are still undergoing development through a public review and input process.</td></tr><tr><td colspan="3">^bReduction potential dependent on the presence of existing or planned transit.</td></tr><tr><td colspan="3">^cReduction potential dependent on the jobs-to-housing ratio.</td></tr></tbody></table>	GHG Reduction Measure ^a	Applicable Land-Use	CO ₂ e Point Reduction	Green Roof	C, M, R	0.5	(C) Commercial, (M) Mixed Use, (R) Residential			^a The SJVAPCD stresses that the BPS outlined above are still undergoing development through a public review and input process.			^b Reduction potential dependent on the presence of existing or planned transit.			^c Reduction potential dependent on the jobs-to-housing ratio.			
GHG Reduction Measure ^a	Applicable Land-Use	CO ₂ e Point Reduction																			
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^c Reduction potential dependent on the jobs-to-housing ratio.																					
		To reduce project-level GHG emissions, specific developments shall implement any combination of the measures outlined above to the extent practicable and feasible.																			
Impact GHG-2. The Project would conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.	Potentially Significant	MM CC-2. Implement GHG Reduction Measures to Achieve at Least a 29% Reduction in GHG Emissions Relative to BAU. The Agency will require project applicants to implement any combination of GHG reduction measures necessary to achieve a combined 29% reduction in emissions relative to BAU, consistent with the SJVAPCD guidelines. This requirement will likewise apply to the Agency for those projects that it will undertake directly. Available BPS and their reduction potentials have been proposed by the SJVAPCD and are summarized in MM CC-1. The developer, whether the Agency or another entity, may use other reduction measures and is not limited to those identified by the SJVAPCD. The Bay Area Air Quality Management District (BAAQMD) has also identified several feasible mitigation measures as well as estimated their reduction potentials. The table below identifies available measures in addition to those presented by the SJVAPCD. Note that the reduction potentials are still being reviewed by the BAAQMD and may change with improved guidance on quantifying mitigation. The reduction potentials are therefore provided as an estimate of what may be achieved through implementation of the measure.	Less than Significant																		

Impact	Level of Significance	Mitigation Measure		Residual Impact	
		GHG Reduction Measure ^a	Sector	CO ₂ e Point Reduction	
		Free Transit Passes to Employees and Residents	Resident/Employee	25% transit	
		Employee Telecommuting	Mobile-Source Worker	1%-100%	
		Compressed Work Schedule	Mobile-Source Worker	1%-40%	
		Electrically Powered Landscape Equipment and Outdoor Electrical Outlets	Residential Landscape Emissions	Same % as land equipment emissions	
		Low-VOC Architectural Coatings	Building Operations	Same % as ROG emissions	
		Plant Shade Trees within 40 feet of the South Side or within 60 feet of the West Side of Properties	R/C Air-Conditioning Electricity	30%	
		Require Smart Meters or Programmable Thermostats	R/C Electricity or Natural Gas	10%	
		Meet Green Building Standards in All New Construction	R/C Electricity or Natural Gas	3%-17%	
		Install Solar Water Heaters	R/C Natural Gas Water Heating	70%	
		Install Tankless Water Heaters	R/C Natural Gas Water Heating	35%	
		HVAC Duct Sealing	R/C Air-Conditioning Electricity	30%	

Impact	Level of Significance	Mitigation Measure	Residual Impact
		GHG Reduction Measure^a Provide Necessary Infrastructure and Treatment to Allow Use of 50% Greywater/ Recycled Water in Residential and Commercial Uses for Outdoor Irrigation	CO₂e Point Reduction SFR: 37.5%, MFR: 29%, C: 6%
		Sector R/C Electricity (water consumption)	CO₂e Point Reduction SFR: 37.5%, MFR: 29%, C: 6%
		(C) Commercial, (R) Residential, (SFR) Single-Family Residential, (MFR) Multifamily Residential	CO₂e Point Reduction SFR: 37.5%, MFR: 29%, C: 6%
		^a Reduction potentials have not been scaled to project-specific emissions or resource sectors (e.g., natural gas, electricity).	CO₂e Point Reduction SFR: 37.5%, MFR: 29%, C: 6%
		“Reduction potentials should be scaled proportionally to their sector of project-generated emissions. For example, if a measure would result in a 50% reduction in residential natural gas consumption but only 20% of a project’s emissions are associated with natural gas consumption and only 10% of a project’s emissions are from residential land uses, then the scaled reduction would equal 1% (50% * 20% * 10% = 1%)” (BAAQMD 2010).	CO₂e Point Reduction SFR: 37.5%, MFR: 29%, C: 6%

NOISE

Impact NOI-1. The Project would expose persons to or generate noise levels in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies.	Potentially Significant	MM-NOI-1. Adhere to Noise Element Mitigation Requirements. In accordance with the noise element, all future development that includes stationary noise sources will be required to conduct an acoustical study and install noise controls so that exterior and interior noise levels at nearby noise-sensitive properties adhere to the allowable noise limits listed in Table 3D-3. A wide range of noise control measures for stationary equipment is available: • purchase low-noise equipment, • install noise silencers on mechanical equipment, • use site structures to provide natural shielding, and • install noise barriers.	Significant and Unavoidable
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Impact	Level of Significance	Mitigation Measure	Residual Impact
		In accordance with the noise element, all future development in the project area where the forecast future exterior noise levels would exceed 60 dBA CNEL (as defined by Figure 3D-1) must conduct an acoustical study and provide noise control measures to reduce indoor and outdoor noise levels to the allowable limits specified in Table 3D-2 and Table 3D-3. At a minimum, structures must be designed to California Title 24 acoustical insulation requirements. The noise element describes a wide range of additional noise abatement measures that can be considered: • maximizing the distance between sensitive receptors and local noise sources through proper site planning; • placing non-sensitive land uses (e.g., parking lots) so as to provide a buffer zone; • orienting outdoor use areas (e.g., balconies) toward the sides of buildings and away from noise sources; • arranging site buildings to shield noise-sensitive areas within the facility; • constructing sound barrier walls along freeways and heavily traveled arterials, if feasible, based on local site conditions; and • installing additional indoor noise insulation, beyond the minimum requirements specified by the building codes.	
Impact NOI-2. The Project would result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the Project.	Potentially Significant	Implement MM NOI-1.	Significant and Unavoidable
Impact NOI-3. The Project would result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the Project.	Potentially Significant	Implement MM NOI-1.	Significant and Unavoidable
Impact NOI-4. The Project would be located within 2 miles of a public airport or public use airport and would expose people residing and working in the project area to excessive noise levels.	Less than Significant	No mitigation is required.	Less than Significant

Table ES-2. Comparison of the Proposed Project and Its Alternative

Environmental Issue Area	Proposed Project Impact	No-Project Alternative Impact
AIR QUALITY		
Impact AQ-1. The Project would violate an air quality standard or contribute substantially to an existing or projected air quality violation.	Significant and Unavoidable	Similar Impact
Impact AQ-2. The Project would result in a cumulatively considerable net increase in a criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard.	Significant and Unavoidable	Similar Impact
CULTURAL RESOURCES		
Impact CR-1. The Project would cause a significant adverse change in the significance of a historical resource as defined in Section 15064.5.	Significant and Unavoidable	Greater Impact
GREENHOUSE GAS EMISSIONS		
Impact GHG-1. The Project would generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.	Significant and Unavoidable	Similar Impact
Impact GHG-2. The Project would conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.	Less-than-Significant Impact	Similar Impact
NOISE		
Impact NOI-1. The Project would expose persons to or generate noise levels in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies.	Significant and Unavoidable	Similar Impact
Impact NOI-2. The Project would result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the Project.	Significant and Unavoidable	Similar Impact
Impact NOI-3. The Project would result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the Project.	Significant and Unavoidable	Similar Impact
Impact NOI-4. The Project would be located within 2 miles of a public airport or public use airport and would expose people residing and working in the project area to excessive noise levels.	Less-than-Significant Impact	Similar Impact

Chapter 1

Introduction and Overview

Chapter 1

Introduction and Overview

Purpose of This Draft Subsequent Environmental Impact Report

This draft subsequent environmental impact report (Draft SEIR) was prepared to evaluate the potential environmental impacts associated with the Fresno Merger No. 2 Redevelopment Plan Amendments Project (Project). This report also identifies mitigation measures and alternatives to the Project that may reduce or eliminate significant impacts. This Draft SEIR has been prepared pursuant to the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq., Guidelines (California Code of Regulations [CCR], Title 14, Section 15000 et seq.).

CEQA was enacted in 1970 by the California legislature to involve the public in the planning process for proposed activities and disclose the significant environmental impacts, along with ways to avoid or reduce those impacts by requiring implementation of feasible alternatives or mitigation measures. All discretionary projects within the State of California are required to undergo environmental review in accordance with CEQA to determine whether a project would result in any environmental impacts. A project requires environmental review pursuant to CEQA if the whole of its action has the potential to result in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment. More specifically, a project requires environmental review if, as in the case of the Project, it incorporates a decision-making action undertaken by a public agency; is an activity that is supported in whole or in part through public agency contracts, grants, subsidies, etc.; or is an activity requiring a public agency to issue a lease, permit, license, certificate, or other entitlement.

Given the above requirements of CEQA, the Redevelopment Agency of the City of Fresno (Agency) and City of Fresno (City) are required to conduct an environmental review of the Project and consider its potential environmental impacts before making a decision on the Project. In accordance with CEQA, the Agency and City are the co-lead agencies (collectively, Lead Agency) for the preparation of this Draft SEIR. The Lead Agency will be taking primary responsibility for conducting the environmental review and certifying this Draft SEIR.

Justification for the Preparation of a Subsequent EIR

The notice of preparation (NOP) (see Appendix A) provides notice that the Lead Agency will be preparing the SEIR for the Project based on *Final Program EIR 10125, Merged Redevelopment Project II: Southwest Fresno GNRA, Fruit/Church Redevelopment Project Area, SCH No. 97092072, August 1998* (1998 EIR) (Redevelopment Agency of the City of Fresno 1998). Section 15168 of the State CEQA Guidelines provides that projects that are within the scope of a certified program EIR are to be considered pursuant to Section 15162 of the guidelines. In turn, Section 15162 of the State CEQA Guidelines (based on Public Resources Code Section 21166) states that an SEIR will be prepared when any of the following situations exist, based on substantial evidence in light of the whole record:

- a. When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, one or more of the following:
 1. Substantial changes are proposed in the project that will require major revisions to the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
 2. Substantial changes will occur with respect to the circumstances under which the project is undertaken that will require major revisions to the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
 3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
 - a. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents declined to adopt the mitigation measure or alternative; or
 - d. Mitigation measures or alternatives that are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents declined to adopt the mitigation measure or alternative.

Consistent with State CEQA Guidelines Section 15162, the SEIR to be prepared for this Project will be based on the 1998 EIR. The SEIR will analyze the changes to the Project set forth in the 1998 EIR to determine whether they will lead to new or more severe significant effects relative to the effects disclosed in the 1998 EIR. It will also examine whether changes to the circumstances under which the Project is undertaken since certification of the 1998 EIR will result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

The mitigation measures identified in the 1998 EIR will continue to apply to the Project, except as they may be modified by the SEIR. New mitigation measures are also included in the Draft SEIR, as necessary. The use of an SEIR to modify or replace existing mitigation measures is authorized under *Lincoln Place Tenants Association, et al. v. City of Los Angeles* (2005) 130 Cal. App. 4th 1491 and *Napa Citizens for Honest Government v. Napa County Board of Supervisors* (2001) 91 Cal. App. 4th 342.

Since adoption of the 1998 EIR, there are new regulations, local standards, and statutes in effect as well as new circumstances, which have resulted in new information.

- New information is now available about greenhouse gas (GHG) emissions that will be considered. Since certification of the 1998 EIR, Assembly Bill 32 of 2006 and Senate Bill 97 of 2007 have been enacted, requiring public agencies to consider the direct and indirect environmental effects of GHG emissions from their projects and mitigate significant GHG impacts to the extent feasible.
- The Project may result in new and more severe impacts that lead to a cumulatively considerable net increase in any criteria pollutant for which the Project region is a nonattainment area for an applicable federal or state ambient air quality standard.
- There are possible historic districts and additional historic resources not listed in the 1998 EIR that are eligible for listing as historic resources. There are also potential archaeological resources that were not listed in the 1998 EIR.
- There appears to be evidence that circumstances relative to future noise levels have substantially changed since certification of the 1998 EIR.

The SEIR will determine whether the Project will result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects as a result of these new laws, regulations, and standards.

Upon its release for public review and comment, the Draft SEIR will be given the same notice as is required of all EIRs, and copies will be made available for review. Copies will also be sent to the State Clearinghouse and any local responsible agencies. When the time comes to consider approving the Project, the Lead Agency will consider the SEIR and make a finding for each significant effect identified in the SEIR.

Scope of This Draft SEIR

This Draft SEIR addresses the potential environmental impacts of the Project, the scope for which is based on the results of an initial study (IS) that was prepared in accordance with the CEQA checklist as well as input from the public and affected agencies. The scope of the Draft SEIR was established using all of the tools required and recommended by CEQA.

An NOP was prepared and distributed to responsible and affected agencies and other interested parties for a 30-day public review period, in accordance with Section 15063 of the State CEQA Guidelines. The public review period for the NOP began on April 19, 2010, and ended on May 18, 2010. The NOP was also posted in the Fresno County Clerk's office for 30 days and sent to the State Clearinghouse at the Governor's Office of Planning and Research to solicit statewide agency participation in determining the scope of this Draft SEIR. During the 30-day public review period, written comment letters were received regarding the Project. Copies of the NOP and IS are included in Appendix A and B, respectively, and bracketed comments received during the review period are included in Appendix D.

Given the findings of the NOP and IS, a determination was made that an SEIR would be required to address certain potentially significant environmental impacts of the Project. Environmental issues that were determined to have a less-than-significant impact or no impact do not require further evaluation and, therefore, are not discussed in this Draft SEIR. The issues for which the Project was found to have no impacts or less-than-significant impacts, as well as the reasons for the determination of significance, are provided in the NOP and IS in Appendix A and B of this Draft SEIR, respectively.

Potentially significant impacts were identified during the scoping process. Therefore, potential areas of controversy are addressed in this Draft SEIR for the following:

- Air Quality,
- Cultural Resources,
- Greenhouse Gas Emissions, and
- Noise.

Chapter 3 of this Draft SEIR is divided into sections for each of the issues listed above and includes a detailed discussion of the associated impacts. Mitigation measures to reduce impacts to a less-than-significant level, if feasible, are identified when significant impacts have the potential to occur.

Required Draft SEIR Contents

In addition to the environmental issues identified above, this Draft SEIR includes all of the sections required by CEQA. Table 1-1 contains a list of sections required under CEQA, along with a reference to the chapter in which they can be found in this document.

Table 1-1. Required SEIR Contents

Requirement/CEQA Section	Location in This Draft SEIR
Table of contents (Section 15122)	Table of Contents
Summary (Section 15123)	Executive Summary
Project description (Section 15124)	Chapter 2
Significant environmental impacts (Section 15126.2)	Sections 3A–3D
Environmental setting (Section 15125)	Sections 3A–3D
Mitigation measures (Section 15126.4)	Sections 3A–3D
Cumulative impacts (Section 15130)	Chapter 4
Alternatives to the project (Section 15126.6)	Chapter 5
Growth-inducing impacts (Section 15126.2)	Chapter 6
Effects found not to be significant (Section 15128)	Chapter 1, Sections 3A–3D, Appendix B
Unavoidable significant environmental impacts (Section 15126.2)	Sections 3A–3D
Organizations and persons consulted (Section 15129)	Chapter 8
List of preparers (Section 15129)	Chapter 9

Organization of This Draft SEIR

The content and organization of this Draft SEIR are designed to meet the current requirements of the CEQA Statutes and the State CEQA Guidelines. The Draft SEIR is organized as described below.

Executive Summary presents a summary of the Project and alternatives, potential impacts and mitigation measures, and impact conclusions regarding growth inducement and cumulative impacts.

Chapter 1, Introduction and Overview, describes the purpose and provides an overview of the EIR process as well as the scope of this Draft SEIR. It also outlines required EIR contents and the organization of this Draft SEIR.

Chapter 2, Project Description and Environmental Setting, describes details of the Project, the Project location, and the Lead Agency's objectives for the Project.

Chapter 3, Environmental Analysis, describes existing conditions for each environmental issue before Project implementation as well as the methods and assumptions used in the impact analysis, the regulatory setting, criteria for determining significance, impacts that would result from the Project, and applicable mitigation measures that would eliminate or reduce significant impacts.

Chapter 4, Cumulative Impact Analysis, evaluates the environmental impacts of combined recent past, present, or reasonably foreseeable future projects in the area that have the potential to contribute to cumulative impacts. This chapter also discusses the Project's contribution to cumulative conditions and determines whether that contribution would be "cumulatively" considerable.

Chapter 5, Alternatives Analysis, evaluates the environmental impacts of Project alternatives, including the No-Project Alternative. It also identifies the environmentally superior Project alternative.

Chapter 6, Growth-Inducing Impacts, includes a discussion of direct and indirect growth-inducing impacts that could be caused by the Project.

Chapter 7, Significant Irreversible Changes, includes a discussion of significant adverse irreversible commitments of resources caused by the Project.

Chapter 8, References, identifies the documents (printed references) and individuals (personal communications) consulted during preparation of this Draft SEIR. This chapter lists the agencies and people consulted to ascertain information regarding the environmental conditions and impact analysis.

Chapter 9, List of Preparers, lists the individuals involved in preparing this Draft SEIR.

Chapter 10, Acronyms and Abbreviations, lists all acronyms and abbreviations mentioned throughout the Draft SEIR, with corresponding definitions.

Appendices provide information and technical studies that support the environmental analysis contained within this document. The following technical appendices are included:

- Appendix A, Notice of Preparation;
- Appendix B, Initial Study;
- Appendix C, Preliminary Report for the Amendments to Merger No. 2; and
- Appendix D, NOP Comment Letters.

Citations in This Draft SEIR

In accordance with State CEQA Guidelines Section 15148, this Draft SEIR cites applicable analyses that are current and valid. The complete source cited may be found in Chapter 8, References.

Intended Uses of This Draft SEIR

The Draft SEIR will be used by the City Housing and Community Development Commission, City Planning Commission, the Agency, and city council when considering approval of the Project described above.

Availability of This Draft SEIR

The Draft SEIR for the Project is being circulated to the public and agencies for review and comment. One of the primary objectives of CEQA is to enhance public participation in the planning process and gather input regarding the important environmental issues to be analyzed in the EIR. Therefore, public involvement is considered an essential feature of CEQA, and community members are encouraged to participate in the environmental review process.

A 45-day review period has been established in accordance with Section 15087 of the State CEQA Guidelines. During the 45-day public review period, which began on June 14, 2010, and will end on July 29, 2010, the Draft SEIR will be available for general public review at:

Redevelopment Agency of the City of Fresno
2344 Tulare Street, Suite 200
Fresno, CA 93721

Fresno City Clerk
2600 Fresno Street, 2nd Floor
Fresno, CA 93721

Fresno County Library
2420 Mariposa Street
Fresno, CA 93721.

Supporting documents not included in the Draft SEIR are available for general public review at the Redevelopment Agency of the City of Fresno, 2344 Tulare Street, Suite 200, Fresno, CA 93721. The Draft SEIR will also be available for general public review on the Agency's web site (<http://fresnorda.com>). Interested parties may provide written comments on the Draft SEIR, which must be postmarked by July 29, 2010. Please address comments to:

Redevelopment Agency of the City of Fresno
Attention: David Martin
2344 Tulare Street, Suite 200
Fresno, CA 93721
Fax: (559) 498-1870

Upon completion of the 45-day public review period, written responses to all comments regarding environmental issues discussed in the Draft SEIR will be prepared and incorporated into the Final SEIR. The Final SEIR will be presented to the City's Planning Commission and Housing and Community Development Commission for a recommendation to the Agency's board and city council. The presentation to the City Planning Commission will be at a scheduled public hearing. After receiving a recommendation, the Final SEIR will be sent to the Agency's board and city council pursuant to CEQA and Redevelopment Law requirements in a joint meeting for certification of the Final SEIR and making a decision on the Project.

Written responses to comments received from any state agencies will be made available to these agencies at least 10 days before the city council meeting at which certification of the Final SEIR will be considered. These comments, and their responses, will be included in the Final SEIR for consideration by the Agency and City as well as any other decision makers.

Project Contacts and Draft SEIR Preparation

This Draft SEIR has been prepared by ICF Jones & Stokes as an independent contractor to the Lead Agency. Preparers of this Draft SEIR are provided in Chapter 9, List of Preparers.

Key contacts are as follows:

Lead Agency:	Redevelopment Agency of the City of Fresno 2344 Tulare Street, Suite 200 Fresno, CA 93721 Contact: David Martin
EIR Consultant:	ICF Jones & Stokes 5558 California Avenue, Suite 310 Bakersfield, CA 93309 Contact: Steven Esselman

Chapter 2

Project Description and Environmental Setting

Chapter 2

Project Description and Environmental Setting

Introduction

This chapter describes in detail the Project, including its location and existing conditions as well as its objectives. It also provides a list of the agencies from which approval is required.

Project Details

The Project consists of proposed amendments to two redevelopment plans. The Project encompasses separate constituent project areas, described below, each of which has its own constituent redevelopment plan. The two constituent project areas are as follows:

- Southwest Fresno General Neighborhood Renewal Area (GNRA), and
- Fruit/Church.

The separate constituent project areas are collectively referred to as the project area. Figure 2-1 shows the boundaries of each constituent project area.

The existing redevelopment plans authorize the Agency to acquire property within the project area by eminent domain. Under the power of eminent domain, the Agency can purchase private property at fair market value within the project area as part of its redevelopment efforts. Pursuant to California Redevelopment Law (California Health and Safety Code Section 33000 et seq.), the existing redevelopment plans have an expiration date.

The Project would extend the Agency's ability to acquire property within the project area through the use of eminent domain and would amend specific time and financial limits for the constituent project areas. The eminent domain time-limit extension would not be used for "occupied residential properties" within the project area, but eminent domain would be available for other nonresidential uses (e.g., commercial, industrial) and for vacant residential properties (e.g., vacant land, vacant buildings). The Project also includes the

updating of mitigation measures previously adopted in conjunction with the 1998 EIR. Specifically, the Project consists of the following redevelopment plan amendments:

- Increase the tax increment limits for the Southwest Fresno GNRA and Fruit/Church Constituent Redevelopment Plans,
- Increase the time limit on the effectiveness of the Southwest Fresno GNRA and Fruit/Church Constituent Redevelopment Plans,
- Increase the time limit to receive the tax increment and repay bonded indebtedness for the Southwest Fresno GNRA and Fruit/Church Constituent Redevelopment Plans, and
- Increase the time limit on the Agency's authority to use eminent domain in both of the constituent project areas. The eminent domain time-limit extension would not be used for "occupied residential properties" within the project area, but eminent domain would be available for other nonresidential uses and for vacant residential properties.

An environmental impact report was adopted by the Agency in 1998 when the two redevelopment plans were previously revised. This Draft SEIR proposes to make the following revision to the mitigation measures contained in that 1998 EIR.

- Augment existing 1998 EIR cultural resources mitigation:
 - Retain mitigation measure 3.15-4 from the 1998 EIR and add clarifying language stating that the existing mitigation would require the City to complete intensive-level historic building surveys for the project area (Project Area Survey) to California Office of Historic Preservation (OHP) standards (as described in *Instructions for Recording Historic Resources*, Appendix 6: Types of Survey Activities). Phase I archaeological surveys would also be performed for these constituent project areas concurrently with the intensive-level historic building surveys as part of the Project Area Survey; and
 - Require applicants to follow a survey protocol, which would be applied within the project area for historic resources during the discretionary approval phase of a proposed development. Similar to the certified language for mitigation measure 3.15-4 in the 1998 EIR, this approach would apply while the Project Area Survey is being completed to allow processing and approval of proposed development projects to continue.

Please see Section 3B, Cultural Resources, for more information regarding additional proposed mitigation.

The time and debt limits to be extended and/or increased are presented in Table 2-1, which describes the existing terms of the redevelopment plans and identifies the changes that would be made by the Project.

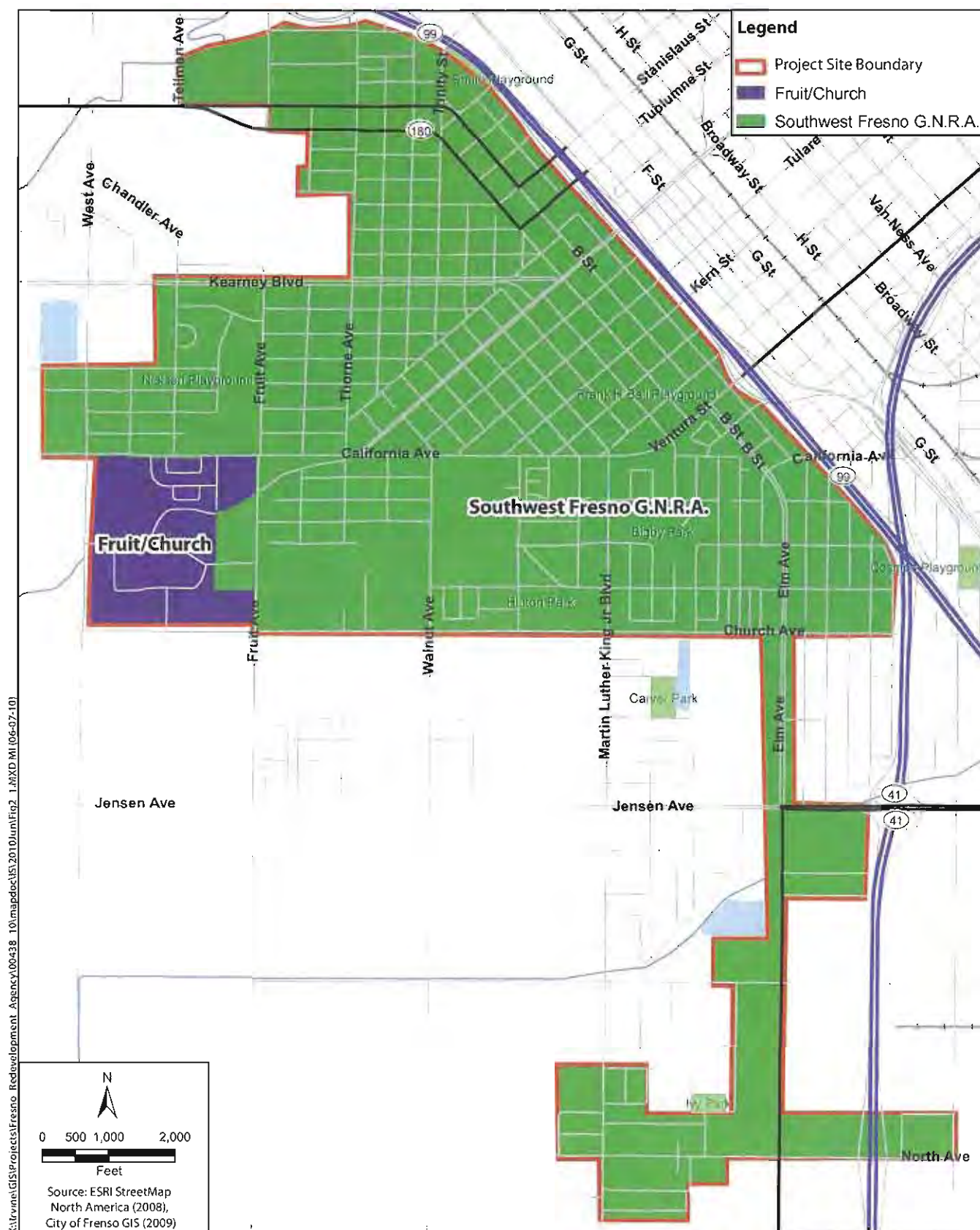


Table 2-1. Existing and Proposed Constituent Project Area Time and Financial Limits

Proposed Amendment	Southwest Fresno GNRA		Fruit/Church	
	Current Limit	Proposed Limit	Current Limit	Proposed Limit
Extend the time limit on the effectiveness of the plan	1/14/2012	1/14/2022	10/7/2014	10/7/2024
Extend the time limit on the payment of indebtedness and receipt of property taxes	1/14/2022	1/14/2032	10/7/2024	1/14/2034
Extend the time limit for the use of eminent domain	12/17/2010	October 2021	12/17/2010	October 2021
Increase tax increment limit	\$113,000,000	\$339,000,000	\$21,000,000	\$63,000,000

Source: Keyser Marston Associates, Inc., 2010.

Project Location and Existing Conditions

The project area is within the southwestern part of the City and surrounded by built land uses, including various residential, commercial, public facility, and industrial land uses as well as some open space. Figure 2-2 shows the current general plan land use designations within the project area. Figure 2-3 shows the current City zoning designations within the project area.

Existing General Plan and Zoning

General Plan Designations

The following general plan land use designations can be found within the project area (see Figure 2-2):

- Open Space,
- Commercial,
- Commercial/Mixed-Use Level 1 (Central Area),
- Commercial/Mixed-Use Level 2 (Central Area),
- Freeway,
- Industrial/Heavy,
- Industrial/Light,
- Public Facility,
- Railroad, and
- Residential (Central Area).

Zoning Designations

The following City zoning designations can be found within the project area (see Figure 2-3):

- Neighborhood Commercial (C-1),
- Mixed-Use Commercial (C-2),
- General Commercial (C-5),
- Heavy Commercial (C-6),
- Commercial and Light Manufacturing (C-M),
- Administrative and Professional Offices (C-P),
- Light Manufacturing (M-1),
- Heavy Manufacturing (M-3),
- Open Conservation (O),
- Off-Street Parking (P),
- Single-Family Residential (R-1),
- Low-Density Multifamily Residential (R-2),
- One-Story Low-Density Multifamily Residential (R-2-A),
- Medium-Density Multifamily Residential (R-3),
- High-Density Multifamily Residential (R-4),
- Residential Agriculture (R-A), and
- Residential Professional District (R-P).

Project Objectives

As described in the 1998 EIR and summarized in the preliminary report, the Agency has the following existing objectives for redevelopment activities within the project area:

- The elimination and prevention of the spread of blight and deterioration throughout the project area through redevelopment activities;
- The promotion of new and continuing private sector and government agency investment within the project area to prevent the loss of economic activity and to facilitate such activity;
- The retention and expansion of existing businesses where possible through redevelopment and rehabilitation activities as well as efforts to encourage owners, businesses, and public agencies to cooperate and participate in revitalization of the project area;

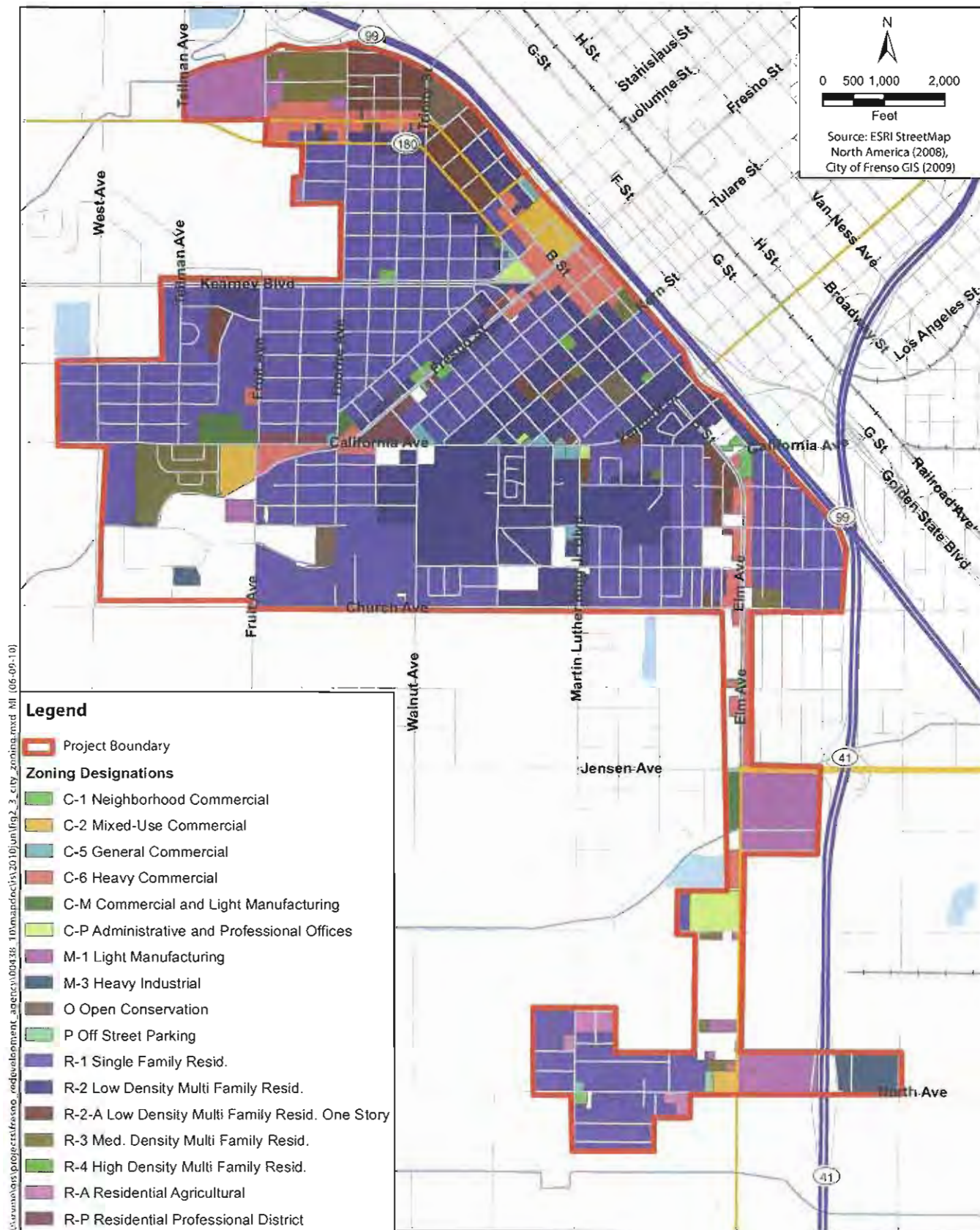


Figure 2-3
City Zoning Designations

- The expansion and improvement of the City's housing supply (inside and outside the project area), including opportunities for low- and moderate-income families and households; and
- The elimination or amelioration of deficiencies, such as substandard vehicular circulation systems; inadequate water, sewer, or storm drainage systems; insufficient off-street parking; and other similar public facility and utility deficiencies, that affect the project area adversely.

The primary objective of the Project is to allow the Agency to continue implementing a comprehensive economic development strategy that alleviates conditions associated with "blight areas," which affect the project area. The provisions of the California Redevelopment Law relative to tax increment limits, time limits on the effectiveness of a redevelopment plan, and use of eminent domain require the Agency to take the actions described above to continue its undertaking of effective redevelopment within the project area.

The updated mitigation measures included in this Draft SEIR would also allow the Agency to conduct its ongoing activities while providing more effective consideration, conservation, and protection of historic resources.

Public Bodies Whose Approval/Recommendation Is Required

- **City Housing and Community Development Commission**—recommend adoption of amendments, SEIR, and Mitigation Monitoring and Reporting Program (MMRP) to city council.
- **City Planning Commission**—recommend adoption of amendments, SEIR, and MMRP to city council.
- **Agency Board**—adopt amendments, SEIR, and MMRP.
- **City Council**—adopt amendments, SEIR, and MMRP.

Chapter 3

Environmental Analysis

Chapter 3

Environmental Analysis

Introduction

This chapter examines the environmental setting, impacts, and mitigation measures associated with the Project. It is divided into sections for respective environmental factors (e.g., air quality, cultural resources, etc.) that were determined to need further study as part of the scoping process for this Draft SEIR.

The scope of the environmental analysis was determined through use of the NOP that was published in April 2010, with consideration to the public and agency comments received during the 30-day public scoping period. Environmental factors to be discussed in this Draft SEIR, as well as their corresponding sections, are as follows:

- Section 3A, Air Quality;
- Section 3B, Cultural Resources;
- Section 3C, Greenhouse Gas Emissions; and
- Section 3D, Noise.

Sections 3A through 3D provide a detailed discussion of the environmental setting, the impacts associated with the Project, and the mitigation measures, which are designed to reduce significant impacts where required and when feasible for each environmental factor.

As discussed in Chapter 1, this is an SEIR. It focuses on those environmental issues where a change in the project or its circumstances or new information indicates that there is a new or more severe impact relative to the significant impacts disclosed in the 1998 EIR. The IS prepared for the Project found that some of the specific issues under each of the environmental factors presented in the CEQA checklist (see Appendix G of the State CEQA Guidelines) were adequately analyzed in the 1998 EIR and, therefore, have been eliminated from further discussion in this Draft SEIR. These issues are summarized in Table 3-1 below and described in detail in the IS (see Appendix B). Note that the discussion of air quality, cultural resources, and noise in Table 3-1 summarizes only those issues that do not require additional analysis.

Table 3-1. Issues Determined in the Initial Study Not to Require Additional Environmental Analysis

Issues	Initial Study Determination
AESTHETICS	
Would the Project have a substantial adverse impact on a scenic vista, substantially damage scenic resources within a state scenic highway, substantially degrade existing character or quality of the site and its surroundings, or create a new source of substantial light or glare?	The project area does not contain scenic vistas and is not adjacent to or near any designated or eligible state scenic highways. The Project would enhance the existing visual character of the project area by continuing the elimination of blight and, therefore, would not degrade the existing character or quality of the site and its surroundings. Future light generated by the Project would be typical of urban development and designed in accordance with existing development standards; it would not result in a new or more severe impact than that previously disclosed in the 1998 EIR.
AGRICULTURAL AND FORESTRY RESOURCES	
Would the Project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance; affect lands covered by a Williamson Contract; conflict with existing zoning for or cause rezoning of forest land, timberland, or timberland zoned for timberland production; result in the loss of forest land or conversion of forest land to non-forest use; or involve other changes in the existing environment that, because of their location or nature, could result in the conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	No portion of the project area is designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance by the Farmland Mapping and Monitoring Program or a Williamson Act contract. No portion of the project area is zoned for forest land, timberland, or timberland zoned for timberland production. There are no forests within the project area.
AIR QUALITY	
Would the Project conflict with or obstruct implementation of the applicable air quality plan, expose sensitive receptors to substantial pollutant concentrations, or create objectionable odors that would affect a substantial number of people?	The Project was included in the general plan analysis. Therefore, the Project has been addressed within the context of the current general plan and, consequently, considered under the current air quality attainment plan. As part of the Project, future development must be consistent with the current general plan and future updates. As a result, the Project would not conflict with or obstruct implementation of the applicable air quality plan. Sensitive receptors, which are addressed by the general plan, are found within the project area. The 1998 EIR acknowledged that future development would result in air quality impacts that could affect sensitive receptors. Also, as part of the Project, future development would have to be consistent with future updates. Therefore, the Project would not result in a new or more severe impact than that previously disclosed in the 1998 EIR. Odors that would be generated by the Project in the future would be considered common in urban areas. Such odors were found in the project area in 1998 when the 1998 EIR was certified. The 1998 EIR concluded that uses that generate odors or use odorous compounds would be permitted only through a conditional use

Issues	Initial Study Determination
	process; this has not changed since 1998. Therefore, the Project would not result in a new or more severe impact than that previously disclosed in the 1998 EIR.
BIOLOGICAL RESOURCES	
Would the Project have a substantial adverse effect on any species identified as candidate, sensitive, or special status; have a substantial adverse effect on any riparian habitat or other sensitive natural community; have a substantial adverse effect on any federally protected wetlands; interfere substantially with wildlife or fish movement or impede the use of native wildlife nursery sites; conflict with local biological resources policies or ordinances; or conflict with an approved local, regional, or state habitat or natural community conservation plan?	The 1998 EIR determined that the project area does not contain suitable habitat, hydrology, or other critical resources for any listed species. The National Wetlands Inventory shows that the project area has riverine and freshwater pond areas but, as in 1998, future development would have to comply with federal and state law regarding wetlands in accordance with Sections 401 and 404 of the Clean Water Act as well as applicable sections of the California Fish and Game Code. There are no natural communities that are tracked by the California Natural Diversity Database within the project area. Therefore, the Project would not result in a new or more severe adverse effect on riparian, wetland, or other sensitive natural communities than that previously disclosed in the 1998 EIR. There is no conclusive evidence that any portion of the project area serves as an important linkage between extant wildlife habitats. Surrounding urban development further diminishes the possibility that the project area is important for terrestrial wildlife movement and severs any linkage between the open space in the project area and surrounding open areas. The 1998 EIR requires future development not to conflict with local biological resources, policies, or ordinances; this situation has not changed since 1998. No adopted local, regional, or state habitat or natural community conservation plan is applicable to the project area.
CULTURAL RESOURCES	
Would the Project destroy a unique paleontological resource or unique geologic feature or disturb any human remains?	The project area does not contain any unique geologic features. Mitigation Measure 3.15-1 adequately mitigates for the disturbance of previously unknown human remains, if found. No substantive changes have occurred since certification of the 1998 EIR.
GEOLOGY AND SOILS	
Would the Project expose people or structures to substantial adverse effects involving fault rupture, strong seismic ground shaking, seismic-related ground failure, or landslides; result in substantial soil erosion or loss of topsoil; be located on an unstable geologic unit or a unit that could become unstable; be located on expansive soil; or have soils that would be incapable of adequately supporting septic tanks or alternative wastewater disposal systems?	The project area does not contain any earthquake fault zones as defined by the Alquist-Priolo Act. Structures built as a result of the Project would have to conform with the Uniform Building Code and California Building Code, which require adherence to modern earthquake standards. Future development would also be required to implement soil treatment measures as described in a preliminary soils report to mitigate for possible seismic-related ground failure, unstable soil, and expansive soil impacts. The flat topography of the project area precludes landslide impacts. No substantive changes have occurred since certification of the 1998 EIR.

Issues	Initial Study Determination
	Obtaining a National Pollutant Discharge Elimination System (NPDES) General Construction Permit and developing a stormwater pollution prevention plan (SWPPP) would reduce construction-related erosion impacts to a less-than-significant level. Required landscaping and stormwater conveyance structures, as well as an increased amount of impervious surfaces as a result of future development, would result in less-than-significant operational impacts. No substantive changes have occurred since certification of the 1998 EIR. Future development would not use septic tanks or alternative wastewater disposal systems but, rather, would be connected to and served by the existing sewer system. No substantive changes have occurred since certification of the 1998 EIR.

HAZARDS AND HAZARDOUS MATERIAL

Would the Project create a significant hazard for the public or the environment through the routine transport, use, or disposal of hazardous materials or reasonable foreseeable upset and accident conditions involving the release of hazardous materials; emit hazardous emissions or involve handling hazardous substances within 0.25 mile of an existing or proposed school; be located on a site that is listed pursuant to Government Code Section 65962.5; be located within an airport land use area, within 2 miles of a public use airport, or within the vicinity of a private airstrip and result in a safety hazard; impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan; or expose people or structures to significant risk involving wildland fires?

Hazardous substances typically used for construction, such as paints, solvents, cleaners, fuels, and grease, would be transported and used for future development, but compliance with the Government Code and California Health and Safety Code would be required during construction. Future residential and commercial operations could result in the transport, use, and disposal of hazardous substances but would require compliance with applicable codes and regulations. Operators of industrial uses in the project area would be required to obtain a conditional use permit (CUP), which would place conditions upon such development to maintain public health and safety, and comply with applicable federal, state, and local law regarding the transport, use, and disposal of hazardous substances. No substantive changes have occurred since certification of the 1998 EIR.

Future development would require Fresno Fire Department, City of Fresno Planning and Development Department, and Fresno County Health Department review, which could place conditions on future development to minimize the risk of accidental hazardous substance release or explosion. Additionally, any future development that has a reasonable possibility of releasing hazardous materials into the environment would have to develop a business response plan and, if necessary, a risk management and prevention program. No substantive changes have occurred since certification of the 1998 EIR.

There are a number of schools within the project area, and additional schools may be developed in the area. Therefore, future development may be within 0.25 mile of a school. However, future development would have to comply with applicable codes and regulations; adhere to conditions of a CUP, if necessary; or develop a business response plan and, if necessary, a risk management and

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	prevention program. With proper implementation of the necessary plans and programs, future development would not affect schools. No substantive changes have occurred since certification of the 1998 EIR. A number of Cortese List sites (pursuant to Government Code Section 65962.5) are located within the project area. Remediation of these sites is governed by the Department of Toxic Substance Control, and future development would also be required to comply with conditions, if required, subsequent to Fresno Fire Department, City of Fresno Planning and Development Department, and Fresno County Health Department review. Future development may also use the U.S. Environmental Protection Agency's (EPA's) "brownfield" grants program. No substantive changes have occurred since certification of the 1998 EIR. The Fresno-Chandler Downtown Airport is adjacent to the project area. Given the modest size of the airport and the fact that future development would be required to comply with the airport plan, future development would not result in building heights that could affect landings or takeoffs or expose people to undue hazards. The project area is not within the vicinity of a private airstrip. No substantive changes have occurred since certification of the 1998 EIR. Future construction could cause temporary detours and lane closures, but it is the City's standard practice to coordinate with emergency service providers. Encroachment permits would be required within the City's rights-of-way. Future development would also be required to comply with applicable emergency response and evacuation plans. No substantive changes have occurred since certification of the 1998 EIR. The project area is surrounded predominantly by existing urban development. Some of the project area is adjacent to agricultural land. This area is maintained for such purposes, and fuel loads that could cause catastrophic fires and affect structures within the project area are not allowed to accumulate. Periodic weed abatement efforts are also required in the project area. Therefore, wildland fires do not have the potential to affect the project area.

HYDROLOGY AND WATER QUALITY

Would the Project violate any water quality standards or waste discharge requirements; substantially deplete groundwater supplies or interfere substantially with groundwater recharge; substantially alter drainage patterns in a manner that would result in erosion, siltation, or flooding; create or contribute to runoff water that would exceed the capacity of the existing or	Future construction that disturbs at least 1 acre (or less than 1 acre if part of a larger common plan of development or sale) would have to obtain coverage under the NPDES General Construction Permit and prepare a SWPPP. The 1998 EIR concluded that stormwater drainage facilities in the project area are sized to convey stormwater flows adequately for current
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planned stormwater drainage system or provide substantial additional sources of polluted runoff; otherwise substantially degrade water quality; place housing or structures within a 100-year flood hazard area that could impede or redirect floodflows; expose people or structures to a significant risk involving flooding; or contribute to inundation by seiche, tsunami, or mudflow?	development. Future development must comply with the NPDES permit (No. CA0083500) and the waste discharge requirements (Order No. 5-01-048) for stormwater conveyance, which are more protective than the 1998 standards and met through compliance with applicable grading and drainage standards approved by the City. Several classes of industrial uses would also be required to obtain additional NPDES permits to ensure that water quality standards are reached. No substantive changes have occurred since certification of the 1998 EIR. Future development within the project area would incrementally increase the demand for potable water. The majority of the water supply for the Fresno area is obtained through percolated and recharged groundwater (70% to 85% during low-demand winter periods and high-demand summer periods) (City of Fresno 2009b). According to the City's Urban Water Management Plan (UWMP), there are "no projected supply shortfalls" in water supply (a significant portion of which is obtained from groundwater), contingent upon the timely implementation of the planned supply projects and programs (UWMP, 4-15) for normal, single-dry-year, and multiple-dry-year scenarios ending in 2010, 2015, 2020, and 2030 and provided that future development is consistent with the general plan (City of Fresno 2008). The City's Department of Public Utilities notes that if proposed future development within the project area is consistent with the general plan and future updates, then development has been accounted for in the UWMP, provided that it does not exceed the land use-based water allocations identified in the UWMP through the construction of high-water-use characteristics (e.g., water features, excessive landscaping, and over-densification). Future development that may exceed land-based water allocations would be subject to the City's special permit review process, as set forth in Fresno Municipal Code (FMC) Sections 12-405 and 12-406. In accordance with FMC, the City could place water conservation conditions on future development or require additional water entitlements to be purchased to offset the water demand of future development not covered in the UWMP as part of the issuance of a special permit. Required compliance with FMC Sections 12-405 and 12-406, as necessary, would result in compliance with the UWMP, which relies predominantly on groundwater for current and anticipated water supplies, by future development. Additionally, the Project includes expiration dates for redevelopment within the Southwest Fresno GNRA (1/14/2022) and Fruit/Church (10/17/2024) Constituent Project Areas that coincide with the 2030 date analyzed in the UWMP. Since redevelopment within the project area is required to be in compliance with the general plan and because the general plan has already accounted for the Project in its

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	analysis, water supply has been analyzed for these constituent project areas under the UWMP. Therefore, the Project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge, resulting in a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted). Impacts would be less than significant. Portions of the project area are within a 100-year flood hazard area, according to Flood Insurance Rate Map data, but these areas are entirely within industrial use areas. Therefore, they would not affect residential land uses. Structures placed within the 100-year flood hazard area would have to be elevated above flood levels per City requirements, and concrete conveyance structures would be required to reduce flows that could exceed the capacity of the stormwater drainage system. The project area is not within a dam failure inundation area or located near any significant enclosed body of water or coastal area that could be susceptible to seiche or tsunami. The project area is not located at the foot of any topographical feature with the potential for mudflow.
LAND USE AND PLANNING	
Could the Project physically divide an established community; conflict with any applicable land use plan, policy, or regulation; or conflict with any applicable habitat conservation plan or natural community conservation plan?	Some portions of the project area are adjacent to agricultural land. However, the project area is connected to the greater metropolitan Fresno area and, therefore, part of an established community. It would not divide an established community. As described in the 1998 EIR, future development within the project area would need to be consistent with the City's adopted land use plans and policies, including the current general plan. There are no applicable habitat conservation plans or natural community conservation plans for the project area.
MINERAL RESOURCES	
Would the Project result in the loss of known mineral resources or result in the loss of availability of a locally important mineral resource recovery site?	The 1998 EIR and general plan do not show any mineral resource land use designations within the project area. No portion of the project area is designated in any applicable plan as a locally important mineral resource recovery site. No substantive changes have occurred since certification of the 1998 EIR.
NOISE	
Would the Project expose persons to or generate excessive groundborne vibration or groundborne noise levels or be located within the vicinity of a private airstrip and expose people residing or working in the project area to excessive noise levels?	The 1998 EIR requires future development within the project area to adhere to City standards, which include locating vibration-generating uses away from sensitive receptors. The project area is not located within the vicinity of a private airstrip. No substantive changes have occurred since certification of the 1998 EIR.

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POPULATION AND HOUSING	
Would the Project induce substantial population growth in an area or displace existing housing or people, necessitating the construction of replacement housing elsewhere?	The 1998 EIR concludes that future development would be required to be consistent with adopted population forecasts to accommodate Fresno's fair share of the regional growth forecast. Additionally, the Project would not result in the extension of infrastructure that would facilitate urban development in nonurban areas. No substantive changes have occurred since certification of the 1998 EIR. In accordance with California Redevelopment Law (CRL) and Agency procedure, displaced low- and moderate-income housing must be replaced on a one-to-one basis within the project area. Displaced people, resulting from future actions by the Agency, are entitled to just compensation and relocation assistance in accordance with CRL and Agency procedure. Additionally, California Administrative Code requires a relocation plan to be prepared to mitigate the effects of redevelopment activities related to displaced residents.
PUBLIC SERVICES	
Would the Project result in substantial adverse physical impacts associated with the construction of governmental facilities that could cause significant environmental impacts to maintain acceptable service ratios, response times, or other performance objectives associated with fire protection, police protection, schools, parks, or other facilities?	The need for public services is driven primarily by population growth. The Project would not induce substantial population growth. Future development would generate an incremental increase in the need for some public services. The Project would not significantly affect fire protection because response times are currently adequate, and construction activities would adhere to current City fire regulations. The Project may require an on-site fire inspector (at the developer's expense) during completion of a shell structure. Future operations would be subject to the Citywide Fire Facilities Fee. Future structures would be built in compliance with modern fire codes. The removal of blighted conditions as a result of the Project would reduce the fire threat in the project area. No substantive changes have occurred since certification of the 1998 EIR. Construction activities may result in theft, trespassing, and vandalism but would not affect police response times because these common crimes are routinely handled by the existing police force. Future development would be required to include security lighting, call boxes, and other security measures. The removal of blight is anticipated to reduce the current number of police calls to the project area. Future development would also be required to adhere to current and future general plan policies and objectives, which would be designed to maintain acceptable service ratios and response times. No substantive changes have occurred since certification of the 1998 EIR.

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	Future residential development would increase the number of school-age children in the project area. Other types of development in the project area could indirectly generate school-age children in the Greater Fresno area because of job opportunities that may bring in workers with children. All future development would be required to pay the affected school district's developer fees, and the Agency would assist affected schools with their planning for school service impacts. The Agency would also make mandatory payments to affected taxing entities, such as schools, to offset lost tax revenue, in accordance with CRL. No substantive changes have occurred since certification of the 1998 EIR. Parks and recreational areas would need to be provided in the project area, in accordance with the City's Park Master Plan. No substantive changes have occurred since certification of the 1998 EIR.
RECREATION	
Would the Project increase the use of existing neighborhood parks or other recreational facilities, including recreational facilities, or require the construction or expansion of recreational facilities, which may have an adverse physical effect on the environment?	By complying with the City's Park Master Plan as well as collecting entrance fees and taxing future park development, no new or more severe impacts, relative to 1998, would result. No substantive changes have occurred since certification of the 1998 EIR.
TRAFFIC AND TRANSPORTATION	
Would the Project cause an increase in traffic that would be substantial in relation to the existing traffic load and capacity of the street system, exceed level of service standards, result in a change in air traffic patterns, or conflict with adopted policies, plans, or programs supporting alternative transportation?	Future development may result in the abandonment and/or realignment of certain streets, alleys, or other rights-of-way but would comply with the current general plan, as well as future updates, and the objectives of the applicable constituent redevelopment plan(s), applicable community plans, other future adopted plans, and City design standards. Compliance with the constituent redevelopment plans, coupled with conformance with the current general plan and applicable community plans and future plans, and paid for by the various funding mechanisms that are in place, would reduce long-term traffic impacts to a less-than-significant level. The 1998 EIR concludes that, with mitigation, cumulative impacts would be significant and unavoidable; cumulative impacts were disclosed in the 1998 EIR and have not changed. No substantive changes have occurred since certification of the 1998 EIR. The Fresno-Chandler Downtown Airport is adjacent to the project area. Given the modest size of the airport and the fact that future development would be required to comply with the airport plan, future development would not result in building heights that could affect landings and takeoffs or expose people to undue hazards. The project area is not within the vicinity of a private airstrip. No substantive changes have occurred since certification of the 1998 EIR.

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	Future development would be required to comply with Fresno Fire Department standards for adequate emergency access and assist in removing currently inadequate access points. No substantive changes have occurred since certification of the 1998 EIR. Future development would comply with the current general plan, as well as future updates, and the objectives of the applicable constituent redevelopment plan(s), applicable community plans, other future adopted plans, and City design standards, including provisions for alternative transportation. No substantive changes have occurred since certification of the 1998 EIR.
UTILITIES AND SERVICE SYSTEMS	
Would the Project exceed wastewater treatment requirements, require or result in the construction of new water or wastewater treatment facilities or the expansion of existing facilities, require or result in the construction of new stormwater drainage facilities or the expansion of existing facilities, be served by existing water entitlements and resources that would be insufficient, be served by a landfill with insufficient permitted capacity, or conflict with federal, state, or local statutes and regulations related to solid waste?	Wastewater from future development would be treated at the Fresno/Clovis Regional Water Reclamation Plant, which must comply with requirements that are more stringent than those placed on the Project in 1998. No substantive changes have occurred since certification of the 1998 EIR. The 1998 EIR acknowledges that sections of the wastewater distribution system (sewer system) are antiquated and in need of repair or replacement (Redevelopment Agency of the City of Fresno 1998). As described in the 1998 EIR, although the trunk sewer lines that serve the project area have been completed and have adequate capacity to accommodate planned land uses, there are deficiencies in the sewer main system that serves the area (Redevelopment Agency of the City of Fresno 1998). Several of the sewer lines are experiencing high maintenance levels and need to be replaced. Sections of the sewer system in the project area would not be able to support planned land uses associated with the Project (Redevelopment Agency of the City of Fresno 1998). Additionally, the City's recent sewer system management plan includes a number of rehabilitation and capacity upgrade projects in the project area that are considered necessary (City of Fresno 2009c). Future development within the project area would be required to obtain a sewer permit from the director of development for the City to connect to the existing sewer system and pay a sewer connection charge in accordance with City Municipal Code Section 6-304. During operations, future development would also have to pay a sewer service charge, in accordance with City Municipal Code Section 6-305. In accordance with City Municipal Code Section 6-337, a sewer service fund has been established; sewer connection and sewer service charges are deposited to pay for acquisition, construction, and reconstruction of the publicly owned

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	treatment works (POTW), including wastewater treatment plant (WWTP) expansions and new construction. Necessary sewer capital improvements in the project area, outlined in the sewer system management plan, would also be funded through the sewer service fund. Future POTW acquisition, construction, and reconstruction (WWTP and sewer capital improvements) would be subject to additional CEQA analysis that includes mitigating environmental impacts to the greatest extent feasible, which is out of the scope of this document. Obtaining a sewer permit and paying necessary charges, in accordance with City Municipal Code, coupled with future WWTP CEQA review, would result in a less-than-significant impact related to the construction of new wastewater treatment facilities or expansion of existing facilities, including sewer capital improvements. The 1998 EIR acknowledges that sections of the City's wastewater collection system need to be replaced because of age, but compliance with the City Municipal Code would reduce impacts to less than significant. As discussed above, future development would comply with the City Municipal Code. Therefore, pursuant to State CEQA Guidelines Section 15162, as part of the Project, no new or more severe impacts on wastewater treatment facilities would result that were not already disclosed in the 1998 EIR. Please note that, unlike potable water, wastewater impacts are primarily the product of the capacity and condition of the conveyance facilities as well as the treatment plant's capacity rather than the availability of the water supply. Unlike water supply, where future development either has to comply with the UWMP or have sufficient water supplies for implementation during the site review process, wastewater adequacy does not have a project-level discretionary process to ensure that adequate facilities are present prior to development. The sewer system management plan is the City's planning document to address and prioritize current and future wastewater capacity and conveyance needs. The Project may require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, but this was contemplated in the 1998 EIR. Additionally, future development would conform to requirements of the City and the Fresno Metropolitan Flood Control District as well as NPDES permit requirements. No substantive changes have occurred since certification of the 1998 EIR. The City's Department of Public Utilities notes that, if proposed future development within the project area is consistent with the general plan and future updates, then such development has been accounted for in the UWMP,

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	provided that the development does not exceed land use-based water allocations identified in the UWMP by constructing high-water-use characteristics (e.g., water features, excessive landscaping, and over-densification). Future development that may exceed land-based water allocations would be subject to the City's special permit review process, set forth in FMC Sections 12-405 and 12-406. In accordance with FMC, the City could place water conservation conditions on future developments or require additional water entitlements to be purchased to offset the water demand of future developments not covered in the UWMP as part of the issuance of a special permit. Required compliance with FMC Sections 12-405 and 12-406, as necessary, would result in compliance with the UWMP, which relies predominantly on groundwater for current and anticipated water supplies, by future development. Additionally, the Project includes expiration dates for redevelopment within the Southwest Fresno GNRA (1/14/2022) and Fruit/Church (10/17/2024) Constituent Project Areas that coincide with the 2030 date analyzed in the UWMP. Since redevelopment within the project area is required to be in compliance with the general plan and because the general plan has already accounted for the Project in its analysis, water supply has been analyzed for these constituent project areas under the UWMP. Therefore, the Project would have sufficient water supplies available from existing entitlements and resources. Impacts would be less than significant. Future development would increase the amount of solid waste generated in the City, but this was determined to be an insignificant amount in the 1998 EIR. Mitigation has been adopted under the current general plan that requires adequate solid waste facilities for existing and planned development in the City. This was effectuated by the City's Zero Waste Strategic Action Plan. The Project is required to comply with federal, state, and local statutes and regulations related to solid waste. No substantive changes have occurred since certification of the 1998 EIR.

NOP Comments

In accordance with the provision of Section 15082 of the State CEQA Guidelines, as amended, the Lead Agency circulated an NOP to public agencies, special districts, and members of the public for a public review period beginning April 19, 2010, and ending May 19, 2010. The purpose of the NOP was to convey formally that the Lead Agency was soliciting input regarding the scope and content of the environmental information to be included in the SEIR. The NOP and all comment letters are provided in Appendix A and Appendix D,

respectively, of this Draft SEIR and are a part of the administrative record. Table 3-2 summarizes the NOP comments received during the 30-day public review period. Consideration of the following comments is included in Response to NOP Comments, below, and in Sections 3A through 3D.

Table 3-2. Summary of Notice of Preparation Comments Received during the Public Review Period

Commenter	Comment Summary
Letter 1. Louise Gilio, Traffic Planning Supervisor, City of Fresno, Public Works Department, Engineering Division, Traffic Engineering Section—letter (April 23, 2010)	States that without a formal application being submitted, the section cannot provide specific comments. States that the Project will need to comply with City codes, ordinances, and conditions of approval at the time an application is submitted.
Letter 2. Patricia Pondexter, Interim County Librarian, County of Fresno—inter-office memo (April 23, 2010)	States that since the SEIR will contemplate completion of intensive-level historic building surveys for the project area, noting the potential for historic resources, it appears that the SEIR will appropriately protect historic resources in the area affected by the Project.
Letter 3. Joanne Striebich, California Department of Transportation, District 6—letter (April 26, 2010)	States that the California Department of Transportation (Caltrans) has no specific comments on the NOP.
Letter 4. Moses Stites, Rail Corridor Safety Specialist, State of California Public Utilities Commission, Consumer Protection and Safety Division, Rail Transit and Crossings Branch—letter (May 13, 2010)	States that the California Public Utilities Commission is responsible for the safety of at-grade railroad crossings within the project area. States that future development would add significantly to traffic, above baseline levels for the project area, and that a traffic impact study would need to consider and address traffic safety issues at all at-grade railroad crossings. States that Public Utilities Commission approval is required to modify existing or construct new highway rail crossings. Asks the Agency to forward the draft traffic impact study scope for the Project before the Agency commences actual analysis to ensure that all at-grade railroad crossings are within the parameters of the study.

Commenter	Comment Summary
Letter 5. Jeanette Jurkovich—email (May 13, 2010)	States that the NOP does not provide an explanation regarding the anticipated environmental impacts of the Project. Since the NOP indicates a co-lead agency relationship between the Agency and City, requests a full explanation for the Agency's decision to serve as co-lead agency. Requests clarification regarding which entity (Agency or City) determined that a subsequent review should be conducted and the authority relied upon for a co-lead agency arrangement. Requests a copy of the joint powers agreement. Requests that the Lead Agency identify and analyze feasible mitigation measures to reduce impacts on historic resources.
Letter 6. Mike Schmidt, Supervising Inspector, Fresno Fire Department—email (May 17, 2010)	States that the project area is within 3 miles of Fire Station No. 3 and surrounded by 10- to 12-inch water mains as well as several 8-inch mains. States that specific fire department requirements will be addressed with proposals for development
Letter 7. Mark Will, Engineer III RCE, Fresno Metropolitan Flood Control District—letter (May 14, 2010)	States that the storm drainage system should be one of the affected service systems noted in the plan amendment and rezoning applications. States that proposed development would produce storm runoff that would need to be properly discharged and mitigated (including through the creation of pipelines and storage basins). States that the community has developed and adopted a storm drainage and flood control master plan, with each property contributing to its pro-rata share of the cost of the public drainage system. States that the proposed project area encompasses West, Fruit, Church, and California Avenues and that a portion of Florence Avenue is located within Drainage Area "TT," which is zoned for industrial use and has permanent drainage service available, except for a 6-acre area east of Drainage Area "OO." This 6-acre area, if developed, would require construction of an 18-inch-diameter storm drain and inlet and a pipeline extension into the basin for permanent drainage service. States that the district would require conformance with the master plan and need to review and approve all improvement plans prior to implementation. States that there are no anticipated negative impacts on the district's system as a result of future development, provided that proposed drainage patterns and approved general plan land uses are followed.
Letter 8. David Warner, Director of Permit Services, and Arnaud Marjollet, Permit Services Manager, San Joaquin Valley Air Pollution Control District—letter (May 17, 2010)	States that, although the Project is programmatic and project-specific data may not be available, the EIR should include policies to reduce and mitigate impacts on air quality at the project level. The district provides recommendations for addressing project-specific issues, including development of policies to reduce vehicle miles traveled (VMT), policies for compliance with District Rule 9510 and other district regulations, policies for considering toxic air contaminants and health risks,

Commenter	Comment Summary
Letter 9. William Stretch, Chief Engineer, Fresno Irrigation District—letter (May 28, 2010)	and policies to reduce construction emissions. States that air quality impacts exceeding the district's thresholds of significance for criteria pollutants can be mitigated to less than significant through participation in a Voluntary Emissions Reduction Agreement (VERA). States that the Fresno Irrigation District (FID) has several canals within the project area and may require relocation to accommodate future development. States that a majority of the Southwest Fresno GNRA area is located outside of the FID service area; therefore, surface water is not allocated to a majority of the area by FID. The commenter further states that new regulations, standards, and information since 1998 required the City's UWMP to be updated in 2008. FID believes that it is not clear whether the City's UWMP accounts for high water consumption by the Project. States that increased water consumption by the Project would either result in additional groundwater overdraft or a shifting of water supplies to the project area from other areas, including FID areas, which would require other areas to be willing to use less water. Expresses concern that developments such as the Project would inhibit the City's progress toward balancing water usage if the necessary offsets for increased water demands are not provided. States that, in the future, the SEIR should consider whether developers should be responsible for increasing groundwater recharge capabilities in the project area and/or purchasing additional water supplies to offset additional demand.
Source: Appendix D.	

Response to NOP Comments

The following are responses to NOP comments received during the 30-day public scoping period. The numbering for each comment corresponds to the bracketed comments contained in each letter. See Appendix D for the bracketed comment letters.

Letter 1—Louise Gilio, Traffic Planning Supervisor, City of Fresno, Public Works Department, Engineering Division, Traffic Engineering Section

Response to Comment 1

The commenter states that without a formal application being submitted, the section cannot provide specific comments and that the Project will need to comply with City codes, ordinances, and conditions of approval at the time an application is submitted.

The Project does not include any specific development proposals. Each future development resulting from the Project would need to provide a formal application for consideration. Such applications would include conditional use permits, rezoning applications, site plan reviews, and building permits. Future development would comply with City codes, ordinances, and conditions of approval at the time the formal applications are submitted. Formal applications would be submitted to the City of Fresno Planning and Development Department, then routed appropriately for review and comment.

Letter 2—Patricia Pondexter, Interim County Librarian, County of Fresno

Response to Comment 1

The commenter is thanked for her comment. It has been noted for the record.

Letter 3—Joanne Striebich, California Department of Transportation, District 6

Response to Comment 1

The commenter is thanked for her comment. It has been noted for the record.

Letter 4—Moses Stites, Rail Corridor Safety Specialist, State of California Public Utilities Commission, Consumer Protection and Safety Division, Rail Transit and Crossings Branch

Response to Comment 1

The commenter states that the California Public Utilities Commission is responsible for the safety of at-grade railroad crossings within the project area. He also states that future development would significantly add to traffic, above baseline levels for the project area, and that a traffic impact study needs to consider and address traffic safety issues at all at-grade railroad crossings.

The Project increases the existing time and financial limits within the project area to assist the Agency with continuing its efforts pertaining to blight reduction; amends language found within applicable constituent redevelopment plans to be consistent with current general plan and future general plan updates, as well as any applicable specific or community plans; and replaces certain mitigation measures adopted in the 1998 EIR with updated, effective mitigation to consider potentially historic resources. The Project would not result in project-level development but, rather, would programmatically facilitate possible future development beyond the current time limits. Future development would consider at-grade railroad crossings as part of CEQA review for individual projects, including crossings for the proposed high-speed train in California. Although there have been accidents in the project area between trains and vehicles, bicycles, and pedestrians since certification of the 1998 EIR, the potential for these accidents existed in 1998 as well. Vehicle traffic loads and interactions with trains have likely increased since 1998, but that is a function of time, not the Project. These issues, which are associated with future development, would be addressed during the discretionary approval phase, and the Public Utilities Commission would be given the opportunity to comment on its concerns at that time. Therefore, the Project would not result in new or more severe impacts related to at-grade railroad crossings.

The Lead Agency is required to consider only substantial changes in the Project or its circumstances or substantial new information that was not known and could not have been known when the 1998 EIR was certified. State CEQA Guidelines Section 15162 limits the need for extensive analysis of conditions that have not changed.

The commenter states that the Project would affect cumulative traffic levels significantly, which would rise above baseline levels in the project area. The commenter also states that a traffic impact study needs to consider and address traffic safety issues at all at-grade railroad crossings. The Project would not result in project-level development but, rather, would programmatically facilitate possible future development beyond the current time limits. As stated in the

IS/NOP, the 1998 EIR concluded that even with adequate mitigation for the long term, cumulative impacts would be significant and unavoidable. The cumulative impacts of the Project were disclosed in the 1998 EIR and have not changed; therefore, the Project would not result in new or more severe impacts. Future site-specific development projects would prepare individual traffic impact studies to address traffic safety issues at all affected at-grade railroad crossings (including queuing issues) during the discretionary approval phase. The Public Utilities Commission would be given the opportunity to comment on its concerns at that time. Each traffic impact study would consider grade separations, warning devices and signals, signage, medians, visibility, possible parking prohibitions, pedestrian-specific warning devices, eliminating driveways, increased traffic enforcement, and rail safety awareness programs when pertinent.

The commenter states that Public Utilities Commission approval is required to modify existing or construct new highway railroad crossings. Future development would require CEQA review, and the Public Utilities Commission would be given an opportunity to comment on proposed modifications or construction at that time.

The commenter asks the Lead Agency to forward the draft traffic impact study scope for the Project before the Lead Agency commences the actual analysis to ensure that all at-grade railroad crossings are within the parameters of the study. The Project would not result in project-level development but, rather, would programmatically facilitate possible future development beyond the current time limits. Future development would prepare traffic impact studies for CEQA review for individual projects, and the Public Utilities Commission would be given an opportunity to comment at that time.

Letter 5—Jeanette Jurkovich

Response to Comment 1

The commenter states that the NOP does not provide an explanation of the anticipated environmental impacts of the Project. This is incorrect. Page 4 of the NOP (see Appendix A) discusses the potential impacts of the Project since the adoption of the 1998 EIR. Potential impacts include the Project's contribution to greenhouse gas emissions as well as criteria pollutant impacts, impacts on historic resources, noise impacts, and water supply and sewer impacts.

The Project consists of a change to the redevelopment project that was analyzed in the 1998 EIR. The commenter confuses situations where a previous EIR was prepared with situations where no EIR exists. In the present situation, Public Resources Code Section 21166 and State CEQA Guidelines Section 15162 act to limit the necessity for additional analysis. As stated by the court in *Benton v. Board of Supervisors* (1991) 226 Cal. App. 3d 1467:

In a case in which an initial EIR has been certified, [Public Resources Code] Section 21166 comes into play precisely because in-depth review of the project has already occurred, the time for challenging the sufficiency of the original CEQA document has long since expired, and the question before the agency is whether circumstances have changed enough to justify repeating a substantial portion of the process.

The commenter requests a full explanation regarding the reason the Agency determined it necessary to serve as co-lead agency, clarification regarding which entity (Agency or City) determined that a subsequent review should be conducted and the authority relied upon for the co-lead agency arrangement, and a copy of the joint powers agreement.

Public Resources Code (PRC) 21067 defines a “lead agency” as “the public agency which has the principal responsibility for carrying out or approving a project.” State CEQA Guidelines Section 15050(a) in turn states that “[w]here a project is to be carried out or approved by more than one public agency, one public agency shall be responsible for preparing an EIR... This agency shall be called the lead agency.”

In the present instance, both the City and Agency have approval authority over the Project because they share responsibility for overseeing the development of the project area. Under California Redevelopment Law (Health and Safety Code Section 33000 et seq.), the City has empowered the Agency to undertake redevelopment activities in the project area. The Agency’s principal responsibility related to the Project is to oversee development in the project area, in accordance with the mitigation proposed in the Draft SEIR, CRL, and approved City plans, goals, and policies. The City’s primary responsibility is to act as the permitting authority over development activities within the project area. The City’s permitting process will require prospective developers to comply with mitigation measures to obtain permits within the project area. Because both the City and Agency have approval authority over the Project, both may serve as lead agency.

State CEQA Guidelines Section 15051(d) provides guidance regarding situations in which two or more public agencies have equal claim to lead agency, as do the Agency and City. It indicates that those agencies “may by agreement designate an agency as the lead agency” (State CEQA Guidelines Section 15051[d]). Section 15051(d) continues to state that “[a]n agreement may also provide for cooperative efforts by two or more agencies by contract, joint exercise of powers, or similar devices.” In the approach taken in the 1998 EIR, and repeated in this Draft SEIR, the two agencies are jointly exercising their powers as lead agency. Furthermore, there is no case law that expressly states that such an approach is prohibited. One of the only published cases that discusses Section 15051(d) at length is *Planning and Conservation League v. Department of Water Resources*, (2000) 83 Cal. App. 4th 892. That case, however, focuses on the fact that the agencies involved selected the wrong single lead agency; there is no discussion of the possibility of co-lead agencies. Additionally, the Lead Agency is aware of many other instances in which co-lead agencies were designated; this can be confirmed by searching “co-lead” and “CEQA” on any Internet search engine.

For example, the Coachella Valley Water District was designated as a co-lead agency for a final EIR addendum with other water and irrigation districts; the water district's resolution cites State CEQA Guidelines Section 15051 as the authority for such designation.

The co-lead agency approach is consistent with the 1998 EIR. The Draft SEIR is a subsequent document to the 1998 EIR, which states that "[t]his EIR is intended to meet the City's and Agency's duties pursuant to the provisions and requirements of CEQA" (1998 EIR, page 1-5). The City and Agency are identified together to define the public agencies with principal responsibilities for carrying out and approving the Project defined in the 1998 EIR throughout the document. For consistency with the 1998 EIR, the Agency and City are continuing this co-equal relationship in this Draft SEIR. Moreover, because of the prior designation as co-lead agencies, it would be improper to now change the lead agency designation for this subsequent environmental document.

The commenter requests that the Lead Agency identify and analyze feasible mitigation measures to reduce impacts on historic resources. Please refer to Section 3B, Cultural Resources, of this Draft SEIR for more information.

Letter 6—Mike Schmidt, Supervising Inspector, Fresno Fire Department

Response to Comment 1

The commenter is thanked for his comment. It has been noted for the record.

Letter 7—Mark Will, Engineer III RCE, Fresno Metropolitan Flood Control District

Response to Comment 1

The commenter states that the storm drainage system should be one of the affected service systems noted in the plan amendment and rezoning applications. This comment has been noted for the record.

The commenter states that proposed development would produce storm runoff that must be properly discharged and mitigated (including through the creation of pipelines and storage basins). The commenter further states that the community has developed and adopted a storm drainage and flood control master plan and that each property contributes its pro-rata share of the cost of the public drainage system. All future development facilitated by the Project in the project area would be required to comply with the master plan and pay its pro-rata share

The commenter states that the project area encompasses West, Fruit, Church, and California Avenues and that a portion of Florence Avenue is located within Drainage Area “TT,” which is zoned for industrial use and has permanent drainage service available, except for a 6-acre area east of Drainage Area “OO.” This 6-acre area, if developed, would require construction of an 18-inch-diameter storm drain and inlet and a pipeline extension into the basin for permanent drainage service. The commenter states that the district would require conformance with the master plan and need to review and approve all improvement plans prior to implementation. If and when the 6-acre area is developed, the future development would be required to develop a drainage plan for the district’s review and approval, in compliance with master plan and City requirements, including development of the 18-inch-diameter storm drain.

The commenter states that negative impacts on the district’s system as a result of future development are not anticipated provided that proposed drainage patterns and approved general plan land uses are followed. The commenter was thanked for the comment, and it has been noted for the record.

Letter 8—David Warner, Director of Permit Services, and Arnaud Marjollet, Permit Services Manager, San Joaquin Valley Air Pollution Control District

Response to Comment 1

The commenters states that, although the Project is programmatic and project-specific data may not be available, the EIR should include policies to reduce and mitigate impacts on air quality at the project level. Please refer to Section 3A, Air Quality, and Section 3C, Greenhouse Gas Emissions, for proposed mitigation to reduce impacts on air quality at a project level for future development in the project area.

The district provides recommendations for addressing project-specific issues (e.g., developing policies to reduce vehicle miles traveled (VMT), policies for compliance with District Rule 9510 and other district regulations, policies for considering toxic air contaminants and health risks, and policies to reduce construction emissions). States that air quality impacts exceeding the district’s thresholds of significance for criteria pollutants can be mitigated to less than significant through participation in a VERA. These district policies and recommendations have been incorporated into this Draft SEIR and are discussed in detail in Section 3A, Air Quality, and Section 3C, Greenhouse Gas Emissions.

Letter 9—William Stretch, Chief Engineer, Fresno Irrigation District

Response to Comment 1

The commenter states that the FID has several canals within the project area, which may require relocation to accommodate future development. The comment has been noted for the record. The Lead Agency will inform FID, as a responsible agency, and solicit its comments regarding future development at the appropriate time (i.e., during each discretionary approval within the project area).

Response to Comment 2

The commenter states that a majority of the Southwest Fresno GNRA area is located outside of the FID service area; therefore, surface water is not allocated to the majority of the area by FID. The commenter further states that new regulations, standards, and information since 1998 required the City's UWMP to be updated in 2008. FID believes that it is not clear whether the City's UWMP accounts for high water consumption by the Project. If not, then a balanced water supply by 2025 (as called for by the UWMP) would be more difficult to achieve, and impacts would need to be evaluated, according to FID. The City and Agency concur with FID's assessment that new regulations, standards, statutes, and information since 1998 require an analysis of whether the Project would result in impacts on surface water and groundwater supplies that would need to be addressed in this Draft SEIR. The IS (Appendix B) provides a discussion of impacts on groundwater and water supply. Based on the analysis in the IS, future development within the project area would incrementally increase demand for potable water. The majority of the water supply for the Fresno area is obtained through percolated and recharged groundwater (70% to 85% during low-demand winter periods and high-demand summer periods). According to the City's UWMP, there are "no projected supply shortfalls" in water supply (a significant portion of which is obtained from groundwater), contingent upon the timely implementation of the planned supply projects and programs (UWMP, 4-15) for normal, single-dry, and multiple-dry-year scenarios ending in 2010, 2015, 2020, and 2030 and provided that future development is consistent with the general plan. The City's Department of Public Utilities notes that, if proposed future development within the project area is consistent with the general plan and future updates, then development has been accounted for in the UWMP, provided that development does not exceed land use-based water allocations identified in the UWMP through the construction of high-water-use characteristics (e.g., water features, excessive landscaping, over-densification). Future development that may exceed land-based water allocations would be subject to the City's special permit review process, as set forth in FMC Sections 12-405 and 12-406. In accordance with FMC, the City could place water conservation conditions on future development or require additional water entitlements to be purchased to offset the water demand of future development not covered in the UWMP as part of the issuance of a special permit. Required compliance with FMC Sections 12-

405 and 12-406, as necessary, would result in future development that would be in compliance with the UWMP, which relies predominantly on groundwater for current and anticipated water supplies. Additionally, the Project includes expiration dates for redevelopment within the Southwest Fresno GNRA (1/14/2022) and Fruit/Church (10/17/2024) Constituent Project Areas that coincide with the 2030 date analyzed in the UWMP. Since redevelopment within the project area is required to be in compliance with the general plan and because the general plan has already accounted for the Project in its analysis, water supply has been analyzed for these constituent project areas under the UWMP.

Site plan review is discretionary and subject to approval of a special permit by the planning director as well as FID comment. Special conditions can be placed on a project to offset water demand beyond what is accounted for in the UWMP. If necessary, the FID is allowed to appeal approval by the director to the planning commission and city council. It is the responsibility of the developer to outline, to the satisfaction of the City and FID, how he or she intends to provide an additional water supply, if necessary, for future development that is not in compliance with the UWMP.

Response to Comment 3

The commenter states that increased water consumption by the Project would either result in additional groundwater overdraft or a shifting of water supplies to the project area from other areas, including FID areas, which would require other areas to be willing use less water. The commenter also expresses concern that developments such as the Project would inhibit the City's progress toward balancing water supplies by 2025, which is a stated goal in the UWMP. Please see the response to Comment 2, above.

Response to Comment 4

The commenter is concerned that developments such as the Project would inhibit the City's progress toward balancing water usage if the necessary offsets for increased water demands are not provided. Please see the responses to Comments 2 and 5.

Response to Comment 5

The commenter states that the SEIR should consider whether, in the future, developers should be responsible for increasing groundwater recharge capabilities in the project area and/or purchasing additional water supplies to offset additional demand. The Project would extend the lifespan of redevelopment activities within the project area but would not otherwise change or intensify any land use plans. Whether developers in the future should increase recharge or purchase additional water supply is a broader question that pertains to successful implementation of the UWMP. It is not related to this Project and out of the scope of this programmatic analysis. Please also see the response to Comment 2, above.

Organization of Environmental Analysis

To assist the reader in comparing information about the respective environmental issues, each of the following impact sections (Sections 3A–3D) is organized as listed below.

Introduction. Introduces the issue area and a general approach to the assessment.

Environmental Setting. Describes the current physical environmental conditions in the project area to which each issue will be compared. According to State CEQA Guidelines, the environmental setting normally constitutes the baseline physical conditions by which a lead agency determines whether an impact is significant.

Applicable Regulations. Summarizes the applicable regulations, plans, and standards that apply to the Project and that relate to a specific issue area.

Impacts and Mitigation. Discusses the significance criteria, the environmental impact analysis, and the mitigation measure(s) necessary to reduce an environmental impact and the level of impact significance following the implementation of recommended mitigation measure(s).

Methodology. Describes the methods used to analyze the impacts, including whether a qualitative analysis or quantitative analysis is used.

Criteria for Determining Significance. Identifies the significance criteria used to evaluate the Project's impacts or, where applicable, "thresholds of significance," which are levels at which the City finds an impact to be significant. The significance criteria can be a quantitative or qualitative standard or a set of criteria, pursuant to which the significance of a given environmental effect may be determined.

Project Impacts. Considers the Project's potential impacts resulting from short-term construction and long-term operation of the Project based on the environmental analysis. Mitigation measures are identified for Project impacts that are considered significant based on the significance criteria or thresholds of significance. While criteria for determining significant impacts are unique to each issue area, the environmental analysis applies a uniform classification to the impacts based on the following definitions:

- A designation of ***no impact*** is given when no adverse change in the environment is expected,
- A ***less-than-significant impact*** would cause no substantial adverse change in the environment,
- A ***less-than-significant impact with mitigation incorporated*** would avoid substantial adverse impacts on the environment through mitigation, and
- A ***significant and unavoidable impact*** would cause a substantial adverse impact on the environment, and no feasible mitigation measure is available to reduce the impact to a less-than-significant level.

Using the above classifications, the environmental impact analysis assesses each issue area to determine the significance level.

Mitigation Measures. Proposes mitigation measures for potentially significant impacts to reduce or avoid each impact, as appropriate. Pursuant to State CEQA Guidelines Section 15162, the mitigation measures identified in the 1998 EIR apply to the Project, except as revised in the Draft SEIR.

Level of Significance after Mitigation. Provides a conclusion on the level of significance of each impact after all mitigation is considered and incorporated into the Project.

Section 3A

Air Quality

Introduction

This section describes the environmental setting (existing conditions and applicable regulations) related to air quality, the impacts on air quality that would result from the Project, and mitigation measures that would reduce these impacts. Please refer to Section 3C for a discussion of GHG emissions.

The following key resources were used in the preparation of this section:

- *Ambient Air Quality Standards*, California Air Resources Board (CARB) (2010a);
- *Guide for Assessing and Mitigating Air Quality Impacts* (GAMAQI), San Joaquin Valley Air Pollution Control District (SJVAPCD) (2002);
- *Western Regional Climate Center Historical Climate Summaries*, Desert Research Institute and National Oceanic and Atmospheric Administration (NOAA) (2006);
- *Air Quality Update of the 2025 Fresno General Plan Resource Conservation Element*, City of Fresno (2009); and
- Air Quality Monitoring Station Data, CARB (2009a);

The initial study (see Appendix B) determined that, in the context of the impacts identified in the 1998 EIR, the Project does not result in a new or more severe impact that would

- conflict with or obstruct implementation of the applicable air quality plan,
- expose sensitive receptors to substantial pollutant concentrations, or
- create objectionable odors affecting a substantial number of people.

There were comments on the NOP (Appendix D) that included air quality concerns. Responses to applicable comments can be found in Chapter 3, Environmental Analysis, Response to NOP Comments. Therefore, these issues are not addressed further in this section.

Previous Efforts

In 1998, a programmatic EIR was prepared for the merged redevelopment project, with the Agency acting as lead. As described in Chapter 2, Project Description and Environmental Setting, of this Draft SEIR, many of the term and financial limits associated with the 1998 EIR expire in the near future, thereby necessitating an update to the 1998 EIR. In terms of air quality, both the environmental and regulatory setting has changed significantly since certification of the 1998 EIR. In the subsections below, the current conditions are discussed, followed by a brief summary of conditions in 1998. A complete discussion of climate change is also included in this section, which was not included in the 1998 EIR.

Environmental Setting

The project area is located in the City of Fresno, in the center of Fresno County, which is in the San Joaquin Valley Air Basin (SJVAB). Air quality in the SJVAB is under the jurisdiction of SJVAPCD.

Regional Climate and Meteorology

The San Joaquin Valley lies in the central region of the State of California; it is bounded to the east by the Sierra Nevada, to the west by the Coastal Range, and to the south by the Tehachapi Mountains. The valley is open only to the north, at the Carquinez Strait, where the San Joaquin-Sacramento Delta empties into San Francisco Bay. These topographic features result in weak horizontal air flow and conditions that are favorable to pollutant accumulation.

Prevalent high barometric pressure in the region greatly reduces vertical air movement, exacerbating air stagnation in the valley. In the SJVAB, vertical dispersion of pollutants is often limited by the presence of inversion layers, a condition that arises when a layer of relatively warm air overlies a layer of colder air. The earth's surface is warm and consequently warms the air immediately above the surface. In general, the air near the earth's surface is warm, and temperature decreases with height above the surface. Because warm air tends to rise, this condition promotes mixing of the air near the earth's surface. Alternatively, when a region of air aloft is warmer than the layer below (an inversion layer), mixing is greatly reduced. Inversion layers are common in the SJVAB. As a result, the SJVAB is susceptible to significant pollutant accumulation over time, regardless of pollutant emission rates.

In addition to topography, prevailing patterns in temperature, wind speed, wind direction, precipitation, and fog can affect pollutant levels in the SJVAB throughout the year. The area's climate is characterized by hot, dry summers with average maximum July temperatures of 99°F (Desert Research Institute 2006)

and average summer rainfall of roughly 0.6 inch (June–August). High summer temperatures promote the formation of ground-level ozone in the San Joaquin Valley. The summer air flow pattern is predominantly from north to south, with strong winds bringing air from the San Francisco Bay Air Basin into the SJVAB through the Carquinez Strait, then moving south-southeast through the valley, and out through the Tehachapi Pass to the Southeast Desert Air Basin.

Winter temperatures in the Fresno area (December–February) range between 37°F and 62°F (Desert Research Institute 2006). Average precipitation in the region averages roughly 2.3 inches (January–March). During the winter, air flow through the Carquinez Strait is greatly diminished, and winds can originate from the southern end of the SJVAB, flowing north-northwest. During the winter months, the SJVAB is often characterized by light, variable winds (less than 10 miles per hour). Those low wind speeds, combined with frequent inversion layers at low altitude, create a climate that is conducive to high concentrations of pollutants in the winter.

Monthly climate data (1948–2008) from long-term monitoring at the airport are summarized in Table 3A-1.

Table 3A-1. Representative Temperature, Precipitation, and Snowfall Data from Fresno WSO AP

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
Average Maximum Temp (F)	54.5	61.5	67.0	74.5	83.5	91.7	98.2	96.3	90.5	79.7	65.3	54.6	76.5
Average Minimum Temp (F)	37.5	40.6	43.8	47.9	54.3	60.4	65.6	63.9	59.4	51.0	42.4	37.2	50.3
Average Total Precip. (in.)	2.11	1.90	1.87	1.01	.037	0.14	0.01	0.01	0.16	0.51	1.14	1.58	10.81
Average Snowfall (in.)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.1
Average Snow Depth (in.)	0	0	0	0	0	0	0	0	0	0	0	0	0

Note:

WSO AP = Weather Service Office, Airport

Source: Western Regional Climate Center, Desert Research Institute, 2006.

Criteria Pollutants and Local Air Quality

Description of Pollutants

The federal and state governments have established ambient air quality standards for seven criteria pollutants: ozone, carbon monoxide (CO), nitrogen dioxide (NO₂), sulfur dioxide (SO₂), particulate matter less than 10 microns in diameter (PM₁₀), particulate matter less than 2.5 microns in diameter (PM_{2.5}), and lead. Additionally, the State of California has established ambient standards for sulfates, hydrogen sulfide (H₂S), vinyl chloride, and visibility-reducing particles (see Table 3A-2).

The previous EIR for the Project was certified in 1998. At that time, the SJVAB had a “serious” classification under the federal air quality standards for ozone and PM₁₀. According to state standards, the region had a “nonattainment” classification for PM₁₀. In Tables 3A-3 thru 3A-14, criteria pollutant concentrations, as measured at local monitoring stations in 1998, are shown. Because standards change through time, this allows the 1998 data to be compared against 2008 data as well as current standards.

Ozone and NO₂ are considered to be regional pollutants because they or their precursors affect air quality on a regional scale. Pollutants such as CO, PM₁₀, and PM_{2.5} are considered to be local pollutants because they tend to disperse rapidly with distance from the source. The health effects of the pollutants of concern in the SJVAB are discussed below.

Ozone

Ozone is a respiratory irritant and an oxidant that increases susceptibility to respiratory infections and can cause substantial damage to vegetation and other materials. Ozone is a severe eye, nose, and throat irritant. Ozone also attacks synthetic rubber, textiles, plants, and other materials. Ozone causes extensive damage to plants, including agricultural crops, by leaf discoloration and cell damage.

Ozone is not emitted directly into the air but is formed from precursor compounds (reactive organic gases [ROGs] and nitrogen oxides [NO_x]) through a photochemical reaction in the atmosphere. ROGs and NO_x react in the atmosphere in the presence of sunlight to form ozone. Because photochemical reaction rates depend on the intensity of ultraviolet light and air temperature, ozone is primarily a summer air pollution problem. The ozone precursors, ROGs and NO_x, are emitted by mobile sources and by stationary combustion equipment. High concentrations of ground-level ozone are often found downwind of metropolitan areas in the San Joaquin Valley, which can be strong sources of ozone precursors. However, air quality data indicate that ozone in the valley is formed from a combination of local and transported precursor pollutants (San Joaquin Valley Air Pollution Control District 2002).

Table 3A-2. Ambient Air Quality Standards Applicable in California and the Attainment Status of the San Joaquin Valley Air Basin

Pollutant	Symbol	Average Time	Standard (parts per million)		Standard (micrograms per cubic meter)		Violation Criteria		Attainment Status of SJVAB	
			California	National	California	National	California	National	California	National
Ozone*	O ₃	1 hour	0.09	NA	180	NA	If exceeded	NA	Severe nonattainment	NA
		8 hours	0.070	0.075	137	147	If exceeded	If fourth-highest 8-hour concentration in a year, averaged over 3 years, is greater than the standard	Nonattainment	Extreme nonattainment
Carbon monoxide	CO	8 hours	9.0	9	10,000	10,000	If exceeded	If exceeded on more than 1 day per year	Unclassified	Attainment/ unclassified
		1 hour	20	35	23,000	40,000	If exceeded	If exceeded on more than 1 day per year	Unclassified	Attainment/ unclassified
(Lake Tahoe only)		8 hours	6	NA	7,000	NA	If equaled or exceeded	NA	NA	NA
Nitrogen dioxide	NO ₂	Annual arithmetic mean	0.030	0.053	57	100	If exceeded	If exceeded on more than 1 day per year	Attainment	Attainment/ unclassified
		1 hour	0.18	0.100	339	NA	If exceeded	Three-year average of the 98 th percentile of the daily maximum 1-hour average at each monitor within an area must not exceed standard		
Sulfur dioxide	SO ₂	Annual arithmetic mean	NA	0.030	NA	80	NA	If exceeded	Attainment	NA
		24 hours	0.04	0.14	105	365	If exceeded	If exceeded on more than 1 day per year	NA	Attainment/ unclassified
		1 hour	0.25	NA	655	NA	If exceeded	NA	Attainment	Attainment/ unclassified
Hydrogen sulfide	H ₂ S	1 hour	0.03	NA	42	NA	If equaled or exceeded	NA	Unclassified	NA
Vinyl chloride	C ₂ H ₃ Cl	24 hours	0.01	NA	26	NA	If equaled or exceeded	NA	Attainment	NA

Pollutant	Symbol	Average Time	Standard (parts per million)		Standard (micrograms per cubic meter)		Violation Criteria		Attainment Status of SJVAB	
			California	National	California	National	California	National	California	National
Inhalable particulate matter	PM10	Annual arithmetic mean	NA	NA	20	NA	If exceeded	NA	Nonattainment	NA
		24 hours	NA	NA	50	150	If exceeded	If exceeded on more than 1 day per year	Nonattainment	Attainment/maintenance
	PM2.5	Annual arithmetic mean	NA	NA	12	15.0	If exceeded	If 3-year average of the weighted annual mean from single or multiple community-oriented monitors exceeds the standard	Nonattainment	Nonattainment
		24 hours	NA	NA	NA	35	NA	If less than 98% of the daily concentrations, averaged over 3 years, are equal to or less than the standard	NA	Nonattainment
Sulfate particles	SO ₄	24 hours	NA	NA	25	NA	If equal to or exceeded	NA	Attainment	NA
Lead particles	Pb	Calendar quarter	NA	NA	NA	1.5	NA	If exceeded no more than 1 day per year	NA	NA
		30-day average	NA	NA	1.5	NA	If equal to or exceeded	NA	Attainment	NA
		Rolling 3-month average	NA	NA	NA	0.15	NA	Averaged over a rolling 3-month period	NA	No designation
Notes: National standards shown are the primary (public health) standards. All equivalent units are based upon a reference temperature of 25°C and a reference pressure of 760 torr; ppm in this table refers to ppm by volume, or micromoles of pollutant per mole of gas. NA = not applicable.										
*	The U.S. Environmental Protection Agency recently replaced the 1-hour ozone standard with an 8-hour standard of 0.08 part per million. EPA issued a final rule that revoked the 1-hour standard on June 15, 2005. However, the California 1-hour ozone standard will remain in effect.									
Sources: California Air Resources Board, 2010a; California Air Resources Board, 2010b; U.S. Environmental Protection Agency, 2010.										

While ozone in the upper atmosphere protects the earth from harmful ultraviolet radiation, high concentrations of ground-level ozone can adversely affect the human respiratory system. Many respiratory ailments, as well as cardiovascular disease, are aggravated by exposure to high ozone levels. Ozone also damages natural ecosystems such as forests and foothill communities, agricultural crops, and some human-made materials (e.g., rubber, paint, and plastics).

Symptoms from ground-level ozone include coughing, chest tightness, pain upon taking a deep breath, wheezing, and other asthma symptoms; stuffy nose; eye irritation; and reduced resistance to colds and other infections. High levels of ozone may negatively affect immune systems, making people more susceptible to respiratory illnesses, including bronchitis and pneumonia. Ozone also accelerates aging and exacerbates pre-existing asthma and bronchitis; in high concentrations, it can lead to the development of asthma in active children. Active people, both children and adults, appear to be more at risk from ozone exposure than those with a low level of activity. Children appear to be at greater risk because they spend more time outdoors and have a lower body mass. The elderly and those with respiratory disease are also considered sensitive populations for ozone.

Ambient air quality standards are set with human health and safety as the primary goal. State and federal standards for ozone have been set for a 1-hour and 8-hour exposure (see Table 3A-2). The state 1-hour ozone standard is 0.09 parts per million (ppm), not to be exceeded. EPA recently replaced the 1-hour ozone standard with an 8-hour standard of 0.075 ppm. On April 28, 2005, CARB approved a 8-hour ozone standard of 0.07 ppm, which became effective in 2006.

Reactive Organic Gases and Volatile Organic Compounds

Hydrocarbons are organic gases that are formed solely of hydrogen and carbon. There are several subsets of organic gases, including volatile organic compounds (VOCs) and ROG, that can be classified under the larger umbrella term of hydrocarbons. EPA uses the term VOCs to refer to a specific group of highly volatile and reactive hydrocarbons. The definition of VOCs, as defined in the federal register, is any compound of carbon, excluding CO, carbon dioxide, carbonic acid, metallic carbides, ammonium carbonate, and other exempted compounds listed in the Federal Register that EPA has determined to be of extremely low reactivity (California Air Resources Board 2004). CARB uses the terms total organic carbon (TOC) and ROG. ROG also refer to any compound of carbon, excluding CO, carbon dioxide, carbonic acid, metallic carbides, ammonium carbonate, and other compounds exempted by CARB (California Air Resources Board 2004). Therefore, ROG is a set of organic gases, based on state rules and regulations. CARB and EPA's lists of exempted compounds, and consequent lists of ROG and VOCs, differ slightly. The list of compounds exempt from the definition of VOCs by EPA is included by SJVAPCD and presented in SJVAPCD Rule 1102. VOCs are therefore a set of organic gases, based on federal rules and regulations. The SJVAPCD classification of ROG is, therefore, a more thorough and inclusive definition.

Both VOCs and ROGs are emitted from incomplete combustion of hydrocarbons or other carbon-based fuels. Combustion engine exhaust, oil refineries, and oil-fueled power plants are the primary sources of hydrocarbons. Another source of hydrocarbons is evaporation from petroleum fuels, solvents, dry cleaning solutions, and paint. ROGs and VOCs are precursors to the photochemical ozone.

The primary health effects associated with hydrocarbons result from the formation of ozone and its related health effects. High levels of hydrocarbons in the atmosphere can interfere with oxygen intake by reducing the amount of available oxygen through displacement. Carcinogenic forms of hydrocarbons are considered toxic air contaminants (TACs), or air toxics. There are no separate health standards for ROGs. However, some compounds that make up ROGs are also toxic. An example is benzene, which is a carcinogen. TACs are analyzed separately from emissions of ROGs or VOCs. A discussion of their specific health effects is provided in a subsequent section.

ROGs and VOCs are not classified as criteria pollutants and, therefore, emissions are not measured against national or state air quality standards. Because ROGs and VOCs are ozone precursors, SJVAPCD has established thresholds of significance that are not to be exceeded. These thresholds are discussed in subsequent sections.

Nitrogen Oxides

NO_x is a family of highly reactive gases that are primary precursors to the formation of ground-level ozone and react in the atmosphere to form acid rain. NO_x is emitted from the use of solvents and combustion processes in which fuel is burned at high temperatures, principally from motor vehicle exhaust and stationary sources such as electric utilities and industrial boilers. A brownish gas, NO₂ is a strong oxidizing agent that reacts in the air to form corrosive nitric acid as well as toxic organic nitrates.

NO_x can irritate the lungs, cause lung damage, and lower resistance to respiratory infections such as influenza. The effects of short-term exposure are still unclear, but continued or frequent exposure to concentrations that are typically much higher than those normally found in the ambient air may cause an increased incidence of acute respiratory illness in children. Health effects associated with NO_x are an increase in the incidence of chronic bronchitis and lung irritation. Chronic exposure to NO_x may lead to eye and mucus membrane aggravation, along with pulmonary dysfunction. NO_x can cause fading of textile dyes and additives, deterioration of cotton and nylon, and corrosion of metals due to production of particulate nitrates. Airborne NO_x can also impair visibility. NO_x is a major component of acid deposition in California. NO_x may affect both terrestrial and aquatic ecosystems. NO_x in the air is a potentially significant contributor to a number of environmental effects, such as acid rain and eutrophication in coastal waters.

Both EPA and CARB have set an annual arithmetic mean threshold that is not to be exceeded for NO₂ (see Table 3A-2). The annual mean state and federal standards are 0.030 ppm and 0.053 ppm, respectively. The state 1-hour NO₂ standard is 0.18 ppm, and the federal 1-hour standard is 0.100 ppm.

Carbon Monoxide

CO is essentially inert to plants and materials but can have significant effects on human health. CO combines readily with hemoglobin and thus reduces the amount of oxygen transported in the bloodstream. The health threat from CO is most serious for those who suffer from cardiovascular disease. Healthy individuals are also affected but only at higher levels of exposure. At high concentrations, CO can cause heart difficulties in people with chronic diseases and can impair mental abilities. Exposure to elevated CO levels is associated with visual impairment, reduced work capacity, reduced manual dexterity, poor learning ability, difficulty performing complex tasks, and death.

CO is product of incomplete combustion and emitted directly into the atmosphere (unlike ozone), predominantly by motor vehicles. High CO levels develop primarily during winter when periods of light winds combine with the formation of ground-level temperature inversions (typically from the evening through early morning). These conditions result in reduced dispersion of vehicle emissions. Motor vehicles also exhibit increased CO emission rates at low air temperatures. The main sources of CO in the San Joaquin Valley are motor vehicles and waste burning.

State and federal CO standards have been set for both 1-hour and 8-hour averaging times (see Table 3A-2). The state 1-hour standard is 20 ppm by volume, and the federal 1-hour standard is 35 ppm. Both state and federal standards are 9 ppm for the 8-hour averaging period.

Inhalable Particulate Matter

Particulate matter pollution consists of very small liquid and solid particles that become suspended in the air. Some particles are large or dark enough to be seen with the naked eye, such as soot or smoke. Others are so small that they can be detected only with an electron microscope. Particulate matter is a mixture of materials that can include smoke, soot, dust, salt, acids, water, organics, and metals. Particulate matter can be directly emitted from a source (i.e., dust) or can form when gases emitted from motor vehicles and industrial sources undergo chemical reactions in the atmosphere. PM₁₀ refers to particles less than or equal to 10 microns in aerodynamic diameter. PM_{2.5} refers to particles less than or equal to 2.5 microns in aerodynamic diameter (a subset, or portion, of PM₁₀). Both PM₁₀ and PM_{2.5} particles are small enough, about one-seventh the thickness of a human hair, to be inhaled, thereby becoming lodged in the deepest parts of the lungs and evading the respiratory system's natural defenses.

In the western United States, sources of PM₁₀ are found in both urban and rural areas. PM₁₀ and PM_{2.5} are emitted from stationary and mobile sources, including diesel trucks and other motor vehicles, power plants, industrial processing, wood-burning stoves and fireplaces, wildfires, dust from roads, construction, landfills, agriculture, and fugitive windblown dust. Because the particles originate from a variety of sources, their chemical and physical compositions vary widely. The optical properties of particulate matter that affect visibility are highly dependent on the chemical and physical composition.

Particulates can damage human health and retard plant growth. Particulates also reduce visibility and corrode materials. The human body's response to foreign particles, when inhaled, induces a host of acute and chronic health issues, including aggravation of chronic respiratory diseases, heart and lung disease, coughing, bronchitis, cancer, allergic reactions, and higher frequencies of respiratory illnesses in children. Recent mortality studies have shown a statistically significant association between mortality and daily concentrations of particulate matter in the air. PM₁₀ can increase the number and severity of asthma attacks, cause or aggravate bronchitis and other lung diseases, and reduce the body's ability to fight infections.

Certain groups of people are especially vulnerable to the adverse health effects of PM₁₀ and PM_{2.5}. These sensitive populations include children, the elderly, exercising adults, and those suffering from chronic lung disease such as asthma or bronchitis. Of greatest concern are recent studies that link PM₁₀ and PM_{2.5} exposure to the premature death of people who already have heart and lung disease, especially the elderly.

Acidic PM₁₀ and PM_{2.5} can damage human-made materials. Furthermore, it is a major cause of reduced visibility in many parts of the United States. CARB has adopted an 8-hour standard specifically for visibility-reducing particles.

The federal and state ambient air quality standards for particulate matter apply to two classes of particulates, PM_{2.5} and PM₁₀. The state PM₁₀ standards are 50 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$) as a 24-hour average and 20 $\mu\text{g}/\text{m}^3$ as an annual arithmetic mean (see Table 3A-2). The federal PM₁₀ standard is 150 $\mu\text{g}/\text{m}^3$ as a 24-hour average. The federal PM_{2.5} standards are 15 $\mu\text{g}/\text{m}^3$ for the annual arithmetic mean and 35 $\mu\text{g}/\text{m}^3$ for the 24-hour average. CARB adopted an annual arithmetic mean standard of 12 $\mu\text{g}/\text{m}^3$ for PM_{2.5}.

Sulfur Oxides

Sulfur oxides (SO_x) are a family of colorless, pungent gases, including SO₂. They form primarily through combustion of sulfur-containing fossil fuels (mainly coal and oil) but also during metal smelting and other industrial processes. SO_x can react to form sulfate particles, which significantly reduce visibility.

The major health concerns associated with exposure to high concentrations of SO_x include effects on breathing, respiratory illness, alterations in pulmonary defenses, and aggravation of existing cardiovascular disease. Emissions of SO_x also can damage trees and agricultural crops. Together, SO_x and NO_x are the major precursors to acid rain, which is associated with the acidification of lakes and streams and accelerated corrosion of buildings and monuments.

The state standards are 0.04 ppm for a 24-hour average and 0.25 ppm for a 1-hour average. The federal standards are 0.14 ppm for a 24-hour average and 0.03 ppm for the annual arithmetic mean (see Table 3A-2).

Although the SJVAB is in attainment for SO_x, according to both the federal and state standards, it is still of concern in the region because of its propensity to further oxidize in the atmosphere, ultimately forming particulate matter, a pollutant for which the region is classified as a nonattainment area.

Vinyl Chloride

Vinyl chloride is a sweet-smelling, colorless gas at typical ambient temperatures (~25°C). Landfills, sewage treatment plants, and polyvinyl chloride (PVC) production are the major identified sources of vinyl chloride emissions in California. PVC can be fabricated into several products, such as PVC pipes, pipe fittings, and plastics.

In humans, epidemiological studies of occupationally exposed workers have linked vinyl chloride exposure to development of a rare cancer, liver angiosarcoma, and have also suggested a relationship between exposure and lung and brain cancers.

The state standard for vinyl chloride is 0.01 ppm for a 24-hour average. There is no federal standard for vinyl chloride.

Lead

Lead is a metal that is a natural constituent of air, water, and the biosphere. Lead is neither created nor destroyed in the environment, so it essentially persists forever. Between the 1930s and mid-1970s, lead was a common additive to gasoline, increasing the octane rating and reducing engine “knock.” The recognition of the severe environmental impacts associated with lead in the 1970s prompted numerous governments to phase out its use through a variety of mechanisms. The catalytic converter, universally installed on new automobiles after about 1975, was found to be incompatible with leaded gasoline, further discouraging its use. It was not until 1996 that the sale of leaded gasoline for on-road vehicles in the United States was banned under the Clean Air Act. However, by that time, leaded gasoline accounted for less than 1% of gasoline sales in the United States. Ambient concentrations of lead have dropped dramatically since the early 1970s.

Short-term exposure to high levels of lead can cause vomiting, diarrhea, convulsions, coma, or even death. However, even small amounts of lead can be harmful, especially to infants, young children, and pregnant women.

The state standard for lead, for which the SJVAB is in attainment, is $1.5 \mu\text{g}/\text{m}^3$ for a 30-day average, (see Table 3A-2). There is no federal standard for lead.

Hydrogen Sulfide

Hydrogen sulfide is colorless, with a characteristic odor of rotten eggs. Atmospheric H_2S is rapidly oxidized to SO_2 , which is eventually converted into sulfate, then sulfuric acid. When sulfuric acid is removed from the atmosphere as acid rain, it can damage plant tissue and aquatic ecosystems. H_2S is primarily associated with geothermal activity and oil production activities.

H_2S can cause dizziness; irritation to eyes, mucous membranes, and the respiratory tract; nausea; and headaches at low concentrations. Exposure to higher concentrations (above 100 ppm) can cause olfactory fatigue, respiratory paralysis, and death. H_2S can be detected by the nose at extremely low concentrations, as low as 0.0025 ppm, the threshold for harmful human health effects. H_2S does not accumulate in the body but, rather, is quickly excreted at normal exposure concentrations. Acute health effects do not occur until the exposure is greater than the body's ability to remove the excess sulfur.

The state standard for H_2S is 0.03 ppm for a 1-hour average. There is no federal standard. It is no longer considered by SJVAPCD to be a problem in the SJVAB and is not currently monitored.

Toxic Air Contaminants

According to Section 39655 of the California Health and Safety Code, a TAC is an air pollutant that "may cause or contribute to an increase in mortality or an increase in serious illness or pose a present or potential hazard to human health." The 189 substances that have been listed as federal hazardous air pollutants (HAPs) pursuant to Section 7412 of Title 42 of the United States Code are included in the state's list of TACs under the state's air toxics program, along with 11 other compounds not included in the federal list, pursuant to Section 39657(b) of the California Health and Safety Code.

TACs are pollutants that may result in an increase in mortality or serious illness or that may pose a present or potential hazard to human health. TACs can cause various cancers, depending on the particular type of chemical and the duration of exposure. Additionally, some TACs may cause short-term and/or long-term health effects. The 10 TACs posing the greatest health risk in California are acetaldehyde, benzene, 1-3 butadiene, carbon tetrachloride, hexavalent chrome, para-dichlorobenzene, formaldehyde, methylene chloride, perchlorethylene, and diesel particulate matter. A description of these pollutants, their sources, and the

health effects is contained in the *CARB Almanac, Chapter 5: Toxic Air Contaminant Emissions, Air Quality and Health Risk* (California Air Resources Board 2009b). Health risk guidelines are developed by the Office of Environmental Health Hazard Assessment for the list of chemicals that are regulated as toxic.

Valley Fever

Although not a direct air pollutant, Valley Fever (coccidioidomycosis) is caused by inhalation of airborne spores. In Fresno County, data from laboratory test reports indicate that the occurrence of Valley Fever is about 30 symptomatic infections per year (Valley Fever Center for Excellence 2009).

At least 60% of primary coccidioidomycosis is acquired symptomatically, with a positive result on a skin test being the only manifestation of infection. Forty percent of the infections become symptomatic, with a disease spectrum ranging from mild influenza-like illness to a fulminating dissemination resulting in death. Primary coccidioidomycosis is limited to initial lesions in the lungs where symptoms typically include fever of 99°F to 104°F; chills; profuse sweating at night; chest pain, which may worsen to include coughing; loss of appetite; headache; generalized muscle and joint aches; and slight swelling and redness of the joints. The prognosis of primary coccidioidomycosis is usually reliable, and symptoms generally clear within 2 or 3 weeks. Patients whose symptoms persist after 6 to 8 weeks may be considered to have persistent pulmonary coccidioidomycosis.

Dissemination of coccidioidomycosis to sites in the body other than the lungs usually occurs within the first or second month and can cause a variety of symptoms. Dissemination may involve any organ of the body, except those in the gastrointestinal tract. The skin, bones, joints, meninges, and genitourinary system are most commonly involved. Involvement of a vital organ may result in death. Meningitis occurs in one-third to one-half of all patients with the disseminated disease. Untreated coccidioidal meningitis is usually fatal within less than 2 years.

Valley Fever is not contagious and, therefore, cannot be passed on from person to person. Most of those who are infected will recover without treatment within 6 months and have a lifelong immunity to the fungal spores. In severe cases, such as patients with rapid and extensive primary illness, those who are at risk for dissemination of the disease, and those who have disseminated disease, antifungal drug therapy is used. Only 1% to 2% of those who are exposed and seek medical attention will disseminate the disease to parts of the body other than the lungs. Table 3A-3 presents the various infection classifications and normal diagnostic spread.

Table 3A-3. Range of Valley Fever Cases

Infection Classification	Percent of Total Diagnosed Cases
Unapparent Infections	60%
Mild to Moderate Infections	30%
Infections Resulting in Complications	5% to 10%
Fatal Infections	< 1%
Source: Valley Fever Center for Excellence, 2009.	

Factors that affect susceptibility to coccidioidal dissemination are race, gender, pregnancy, age, and immunosuppression. Also, residents who are new to the San Joaquin Valley are at higher risk of infection because of their low immunity level to this particular fungus. Many longtime residents who are exposed to Valley Fever have recovered and, therefore, developed a life-long immunity to the disease (Valley Fever Center for Excellence 2009).

Fungal spores become airborne when soil is disturbed by wind, construction, farming, or other activities. The spores are often found in the soil around rodent burrows, Native American ruins, and burial grounds. This type of fungus is common in the southwestern United States. The ecologic factors that appear to be most conducive to the survival and replication of the fungal spores are high summer temperatures, mild winters, sparse rainfall, and alkaline, sandy soils. While the risk of contracting Valley Fever is considered low based on the general dissimilarity between the sediments known to contain the spores and the sediments believed to be present in the project area, it must be noted that 1) airborne dust containing the spores can be transported to the project area from surrounding locales, potentially exposing those present to the disease, and 2) persons who have not resided in the project area may be more susceptible to contracting the disease than long-time residents because of various environmental, medical, and personal factors.

Conclusions regarding the potential for either exposure to or contraction of Valley Fever through implementation of the Project should not be construed as a professional medical or public health opinion. These conclusions are merely a review of the geologic condition of the project site relative to the potential presence of sediments known to contain the Valley Fever spore.

Asthma in the San Joaquin Valley

Asthma is a chronic condition in the lungs, consisting of inflammation of the airways and constriction of the muscle tissue around the airways. Asthma symptoms can flare in response to exposure to a trigger, which can be an allergen, an infection, a strong odor or fume, or other exposure. Children living in the eight San Joaquin Valley counties (Fresno, Kern, Kings, Madera, Merced, San Joaquin, Stanislaus, and Tulare) have a higher incidence of asthma than the

national average (Hernandez et al. 2004). In 2005, the national average for the prevalence of asthma among children 0–17 years of age was on the order of 6% (Akinbami 2006). In 2004, 157,000 of the roughly 1 million children (0–17 years) living in the San Joaquin Valley, or 15.8%, had asthma. Rates of asthma are highest among children who live in Fresno and Kings Counties where more than 20% of children ages 0–17 have been diagnosed with asthma, compared with 15.8% valley-wide (Hernandez et al. 2004). The connection between exposure to outdoor air pollution and risk level for childhood asthma has been widely investigated in the scientific community. It has been shown that short-term increases in air pollution can exacerbate symptoms in children who have already been diagnosed with asthma (Gilmour 2006). A recent study by Wilhelm et al. (2008) notes that “ozone, particulate matter < 10 and < 2.5 µm in aerodynamic diameter (PM10 and PM2.5), and nitrogen dioxide are the pollutants linked most consistently with exacerbation of asthma symptoms.”

Naturally Occurring Asbestos Impacts

Ultramafic, serpentized rock is closely associated with asbestos and chemically composed of the following list of minerals:

- Antigorite; $(\text{Mg,Fe})_3\text{Si}_2\text{O}_5(\text{OH})_4$
- Clinochrysotile; $\text{Mg}_3\text{Si}_2\text{O}_5(\text{OH})_4$
- Lizardite; $\text{Mg}_3\text{Si}_2\text{O}_5(\text{OH})_4$
- Orthochrysotile; $\text{Mg}_3\text{Si}_2\text{O}_5(\text{OH})_4$
- Parachrysotile; $(\text{Mg,Fe})_3\text{Si}_2\text{O}_5(\text{OH})_4$

These minerals have essentially the same chemistry but different structures. Chrysotile minerals are more likely to form serpentinite asbestos; however, serpentinite is uncommon to sedimentary soil found in the project area.

Asbestos can adversely affect humans only in its fibrous form. The fibers must be broken and dispersed into the air and then inhaled. During geological processes (e.g., fault movement), the asbestos mineral can be crushed, causing it to become airborne. It also enters the air or water from the breakdown of natural deposits. Constant exposure to asbestos at high levels on a regular basis may cause cancer in humans. The two most common forms of cancer are lung cancer and mesothelioma, a rare cancer of the lining that covers the lungs and stomach.

Asbestos occurs in certain geologic environments found throughout California but is rare in Fresno County (California Geological Survey 2000). Based on the known geologic environment common to the project area (California Geological Survey 2000), exposure to and health risks from naturally occurring asbestos for either construction personnel or residents is considered to be low.

The risk of contracting asbestos-related illnesses is considered to be low based on the general dissimilarity between the sediments known to contain the fibers and the sediments believed to be present in the project area. However, airborne dust containing the fibers can be transported to the project area from surrounding locales, potentially exposing those present to related diseases.

Conclusions regarding the potential for either exposure to asbestos-containing fibers or contraction of asbestos-related diseases through construction of the Project should not be construed as a professional medical or public health opinion. These conclusions are merely a review of the geologic condition of the project site relative to the potential presence of sediments known to contain asbestos-containing fibers.

Sensitive Receptors

SJVAPCD identifies a sensitive receptor as a location where human populations, especially children, senior citizens, and sick persons, are present and where there is a reasonable expectation of continuous human exposure to pollutants, according to the averaging period for ambient air quality standards, such as standards for 24-hour, 8-hour, or 1-hour periods. Examples of sensitive receptors include residences, hospitals, and schools. Industrial and commercial uses are not generally considered sensitive receptors, but these uses are considered to be worker sites, and in certain situations, worker sites are considered sensitive receptors.

The project area is within southwestern part of the City and surrounded by built land uses, including various residential, commercial, public facility, and industrial land uses as well as some open space. The Project would not result in project-level development but rather programmatically facilitate possible future development beyond the current time limits. Because individual projects are not specified as part of the Project, a complete analysis of specific sensitive receptors is not provided here.

The project area contains a number of schools: 1) Columbia Elementary School, 2) New Millennium Institute, 3) Edison Bethune Charter School, 4) Lincoln Elementary, 5) Edison High School, 6) King Elementary School, 7) Computech Middle School, 8) Kirk Elementary/Preschool, 9) West Fresno Elementary School, and 10) West Fresno Middle School (Google Earth 2010). There are also residences and places of worship within the project area that could be considered sensitive receptors. The 1998 EIR acknowledges that future development in the project area would result in construction- and operations-related air quality impacts that could affect sensitive receptors. The Project was included as part of the current general plan analysis and addressed by the current general plan with respect to sensitive receptors. Future development as a result of the Project must be consistent with the current general plan and future general plan updates. Therefore, the Project would not have a new or more severe effect with respect to sensitive exposing sensitive receptors to substantial pollutant concentrations.

Future development could bring sensitive receptors to the area, expose sensitive receptors already within the area, or expose sensitive receptors nearby but outside the project area to TACs. Each future development proposal within the project area would have to undergo a separate project-level CEQA analysis to obtain necessary discretionary approval and conform to all current SJVAPCD, CARB, and EPA requirements pertaining to sensitive receptors and TACs as part of the analysis. Mixed-use development could be a part of the future development within the project area. If necessary, future development would have to conform to SJVAPCD's regulation of TACs, including the development of a Health Risk Assessment (HRA) if determined necessary for a future development. A complete description of the specific health effects of individual TACs can be found in *CARB Almanac, Chapter 5: Toxic Air Contaminant Emissions, Air Quality and Health Risk* (California Air Resources Board 2009b). CEQA documents that are submitted to SJVAPCD should include a project summary detailing, at a minimum, the land use designation for the project, the project size, and proximity to sensitive receptors and existing emission sources. A brief overview of California regulations regarding TACs is provided below.

California also regulates TACs, which is a class of airborne pollutants that is similar to the federal HAPs. California's air toxics control program began in 1983 with the passage of the Toxic Air Contaminant Identification and Control Act, better known as AB 1807, or the Tanner Bill. The Tanner Bill established a regulatory process for the scientific and public review of individual toxic compounds. When a compound becomes listed as a TAC under the Tanner process, CARB normally establishes minimum statewide emission control measures to be adopted by local air pollution control districts (APCDs). By 1992, 18 of the 189 federal HAPs had been listed by CARB as state TACs. Later legislative amendments (AB 2728) required CARB to incorporate all 189 federal HAPs into the state list of TACs.

The second major component of California's air toxics program, which supplements the Tanner process, was provided by the passage of AB 2588, the Air Toxics "Hot Spots" Information and Assessment Act of 1987. AB 2588 currently regulates more than 600 air compounds, including all of the Tanner-designated TACs. Under AB 2588, specified facilities must quantify emissions of regulated air toxics and report them to the local APCD **Error! Bookmark not defined.** If the APCD determines that a potentially significant public health risk is posed by a given facility, the facility is required to perform a HRA and notify the public in the affected area if the calculated risks exceed specified criteria.

On August 27, 1998, CARB formally identified particulate matter emitted by diesel-fueled engines as a TAC. Diesel engines emit TACs in both gaseous and particulate forms. The particles emitted by diesel engines are coated with chemicals, many of which have been identified as HAPs by EPA and as TACs by CARB. Since, by weight, the vast majority of diesel exhaust particles are very small (94% of their combined mass consists of PM_{2.5}), both the particles and their coating of TACs are inhaled into the lungs. While the gaseous portion of diesel exhaust also contains TACs, CARB's August 1998 action was specific to diesel particulate emissions, which, according to supporting CARB studies,

represent 50% to 90% of the mutagenicity (ability to cause mutations) of diesel exhaust (California Air Resources Board 1998). Diesel particulates are generally used as a surrogate to identify potential health risks from diesel emissions (San Joaquin Valley Air Pollution Control District 2007a). The 1998 ruling prompted CARB to begin searching for means to reduce diesel particulate matter emissions. In September 2000, CARB approved the Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles (Diesel Risk Reduction Plan) (California Air Resources Board 2000). The Diesel Risk Reduction Plan outlines a comprehensive and ambitious program that includes the development of numerous new control measures over the next several years to reduce emissions substantially from new and existing on-road vehicles (e.g., heavy-duty trucks and buses), off-road equipment (e.g., graders, tractors, forklifts, sweepers, and boats), portable equipment (e.g., pumps), and stationary engines (e.g., standby power generators).

Health Risk Assessment

A HRA is a comprehensive analysis that evaluates and predicts the dispersion of hazardous substances in the environment and the potential to expose human populations to these substances (San Joaquin Valley Air Pollution Control District 2006). Various computer modeling techniques are used to estimate concentration and exposure levels at distances from a pollutant source. SJVAPCD uses HRAs for 1) permitting to ensure that potential emissions are below the district's threshold, 2) CEQA compliance to evaluate and disclose all potential sources of emissions from a proposed project, and 3) AB 2588 compliance to evaluate actual emissions from sources that are of concern. Future development proposals within the merged redevelopment plan boundaries would be required to undergo CEQA analysis separate from this EIR. SJVAPCD does not perform CEQA-type HRAs directly but provides guidance to third parties who conduct the analysis for CEQA documents. If the APCD determines that a potentially significant public health risk is posed by a given facility, the facility is required to perform a HRA and notify the public in the affected area if the calculated risks exceed specified criteria. As part of CEQA analysis, individual development projects within the merged redevelopment area would quantify emissions of TACs and determine if a full HRA and/or mitigation is required at that time. The Project does not specify individual projects or land uses, only extensions of time and financial limits associated with the redevelopment plan. Therefore, emissions of TACs cannot be calculated explicitly for the Project.

Existing Conditions at Project Site

The project area is within southwestern part of the City and surrounded by built land uses, including various residential, commercial, public facility, and industrial land uses as well as some open space. Air quality monitoring data from CARB monitoring stations located closest to the project area (First Street, Drummond Street, Sierra Skypark, and Hamilton) are summarized in

Tables 3A-4 through 3A-15 for the monitoring period 2007–2009 and compared with the National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS), as appropriate. However, data for all criteria pollutants at each individual monitoring station were often not available.

For informational purposes, monitoring station data from 1998 (when available), the year of certification of 1998 EIR, are also provided in Tables 3A-4 through 3A-15, below. A discussion of the conditions in the project area since 1998 is provided in the next section.

Table 3A-4. Background Ambient Air Quality Monitoring Data – Ozone

CARB Air Monitoring Station	Number of Days Exceeding 8-hour NAAQS ^a (0.075 ppm)			Number of Days Exceeding 1-hour CAAQS (0.09 ppm)			Maximum 1-hour Concentration (ppm)		
	2007	2008	2009	2007	2008	2009	2007	2008	2009
Fresno – First Street	37	62	51	14	44	36	0.119	0.157	0.121
Fresno – Drummond St.	9	20	39	2	19	25	0.110	0.124	0.118
Fresno – Sierra Skypark	18	39	34	6	19	20	0.105	0.138	0.119

^a Federal 1-hour ozone standard was revoked in 2005. The 8-hour standard is presented here.

Source: California Air Resources Board, 2009a.

Table 3A-5. 1998 Background Ambient Air Quality Monitoring Data – Ozone

CARB Air Monitoring Station	Number of Days Exceeding 1-hour NAAQS ^a	Number of Days Exceeding 1-hour CAAQS	Maximum 1-hour Concentration (ppm)
	1998	1998	1998
Fresno – First Street	15	46	0.151
Fresno – Drummond St.	8	49	0.148
Fresno – Sierra Skypark	13	53	0.156

^a Federal 1-hour ozone standard was revoked in 2005.

Source: California Air Resources Board, 2009a.

Table 3A-6. Background Ambient Air Quality Monitoring Data – PM10

CARB Air Monitoring Station	Days Exceeding NAAQS 24-hour (150 µg/m ³) ^a			Days Exceeding CAAQS 24-hour (50 µg/m ³)			Maximum Concentration (µg/m ³)		
	2007	2008	2009	2007	2008	2009	2007	2008	2009
Fresno – First Street	0	0	0	9	15	8	102.0	78.3	75.3
Fresno – Drummond St.	0	0	0	10	21	12	93.0	99.5	82.2

Source: California Air Resources Board, 2009a.

Table 3A-7. 1998 Background Ambient Air Quality Monitoring Data – PM10

CARB Air Monitoring Station	Days Exceeding NAAQS 24-hour	Days Exceeding CAAQS 24-hour	Maximum Concentration (µg/m ³)
	1998	1998	1998
Fresno – First Street	0	14	140.0
Fresno – Drummond St.	0	13	141.0

Source: California Air Resources Board, 2009a.

Table 3B-8. Background Ambient Air Quality Monitoring Data – PM2.5

CARB Air Monitoring Station	Days Exceeding NAAQS 24-hour (35.0 µg/m ³)			Annual Arithmetic Mean NAAQS (not to exceed 15 µg/m ³)			Annual Arithmetic Mean CAAQS (not to exceed 12 µg/m ³) ^a			Maximum 24-hour Concentration (µg/m ³)		
	2007	2008	2009	2007	2008	2009	2007	2008	2009	2007	2008	2009
Fresno – First Street	64	50	35	18.8	17.3	15.1	22.3	21.2	15.1	103.8	93.0	82.3
Fresno– Hamilton and Winery	16	11	NR	16.8	16.5	NR	16.8	16.5	NR	65.1	46.6	52.3

^a State and national averages may differ because of different sampling equipment and data processing protocols.
NR = not reporting, insufficient data available.
Source: California Air Resources Board, 2009a.

Table 3A-9. 1998 Background Ambient Air Quality Monitoring Data – PM_{2.5}

CARB Air Monitoring Station	Days Exceeding NAAQS 24-hour (35.0 µg/m ³) ^a	Annual Arithmetic Mean CAAQS (not to exceed 23 µg/m ³)	Maximum 24-hour Concentration (µg/m ³)
	1999 ^b	1999	1999
Fresno – First Street	65	23.4	136.0

^a The NAAQS 24-hour threshold was not established until 2006. Exceedance days are compared against the 2006 threshold.

^b PM_{2.5} monitoring data are not available prior to 1999.

Source: California Air Resources Board, 2009a.

Table 3A-10. Background Ambient Air Quality Monitoring Data – CO

CARB Air Monitoring Station	Number of Days Exceeding NAAQS (8-hour > 9.0 ppm)			Number of Days Exceeding CAAQS (8-hour > 9.0 ppm)			Maximum 8-hour Concentration		
	2007	2008	2009	2007	2008	2009	2007	2008	2009
Fresno – First Street	0	0	0	0	0	0	2.60	2.34	2.07
Fresno – Drummond St.	0	0	0	0	0	0	2.37	2.14	1.95
Fresno – Sierra Skypark	0	0	0	0	0	0	1.39	1.03	1.40

Source: California Air Resources Board, 2009a.

Table 3A-11. 1998 Background Ambient Air Quality Monitoring Data – CO

CARB Air Monitoring Station	Number of Days Exceeding NAAQS	Number of Days Exceeding CAAQS (8-hour > 9.0 ppm)	Maximum 8-hour Concentration
	1998	1998	1998
Fresno – First Street	0	0	5.88
Fresno – Drummond St.	0	0	4.44
Fresno – Sierra Skypark	0	0	2.61

Source: California Air Resources Board, 2009a.

Table 3A-12. Background Ambient Air Quality Monitoring Data – NO₂

CARB Air Monitoring Station	National Annual Average (not to exceed 0.053 ppm)			Number of Days Exceeding CAAQS (1 hour 0.18 ppm)			Maximum 1-hour Concentration		
	2007	2008	2009	2007	2008	2009	2007	2008	2009
Fresno – First Street	0.017	0.016	0.014	0	0	0	0.086	0.070	0.068
Fresno – Drummond St.	0.016	0.015	0.014	0	0	0	0.067	0.076	0.076
Fresno – Sierra Skypark	0.010	0.008	0.007	0	0	0	0.056	0.056	0.044

Source: California Air Resources Board, 2009a.

Table 3A-13. 1998 Background Ambient Air Quality Monitoring Data – NO₂

CARB Air Monitoring Station	National Annual Average (ppm)	Maximum 1-hour Concentration (ppm)
	1998	1998
Fresno – First Street	0.20	0.112
Fresno – Drummond St.	0.20	0.088
Fresno – Sierra Skypark	0.0160	0.075

Source: California Air Resources Board, 2009a.

Table 3A-14. Background Ambient Air Quality Monitoring Data – SO₂

CARB Air Monitoring Station	Annual Average (ppm)			Maximum 24-hour Concentration CAAQS (not to exceed 0.04 ppm)		
	2007	2008	2009	2007	2008	2009
Fresno – First Street	NR	0.010	0.016	0.067	0.030	0.045

Note: Only state data available.
NR = not reporting.
Source: California Air Resources Board, 2009a.

Table 3A-15. 1998 Background Ambient Air Quality Monitoring Data – SO₂

CARB Air Monitoring Station	Annual Average (ppm)	Maximum 24-hour Concentration CAAQS
	1997 ^a	1997
Fresno – First Street	0.000	0.003

Note: Only state data available.
^a Data available only for 1997, not 1998.
Source: California Air Resources Board, 2009a.

As shown in the above tables, the federal and state CO and NO₂ standards were not violated during the last 3 years; however, the state and federal ozone standards were violated as well as the state 24-hour PM₁₀ standard. Federal and state annual arithmetic mean standards for PM_{2.5} were also violated during the monitoring period.

If a pollutant concentration is lower than the state or federal standard, the area is classified as being in attainment for that pollutant. If a pollutant violates the standard, the area is considered a nonattainment area. If data are insufficient to determine whether a pollutant is violating the standard, the area is designated as unclassified. Attainment status for the SJVAB as a whole is listed for each criteria pollutant in Table 3A-2.

The Project would not result in project-level development but, rather, programmatically facilitate possible future development beyond the current time limits. Any future development that results from the Project would be required to adhere to the CEQA process and thus would be required to assess fully the local air quality impacts at that time.

1998 Conditions at Project Site

Air quality in the SJVAB and, particularly, the Fresno area is of great concern. Future development facilitated by the Project has the potential to increase concentrations of criteria pollutants for which the SJVAB is in nonattainment. A number of thresholds and standards have changed since certification of the 1998 EIR. Monitoring data collected in 1998 at the Fresno air quality monitoring stations are presented along with current data in Tables 3A-4 through 3A-15. A qualitative discussion of the major rule changes and regional air quality trends in the area is provided here.

The 8-hour ozone levels, as measured at the Fresno First Street monitoring station (California Air Resources Board 2009a), have not decreased or increased dramatically since 1998; however, the number of exceedance days above the state 1-hour ozone standard has decreased. The highest 1-hour ozone level occurred in 2008 (0.157 ppm).

The region is in nonattainment under both the federal (0.075 ppm) and state (0.070 ppm) 8-hour standards. EPA recently changed the 8-hour nonattainment status from serious to extreme. This reclassification requires more stringent permitting and regulation as part of the updated State Implementation Plan (SIP) and alters the timeframe under which the region is expected to achieve attainment. On June 15, 2005, EPA revoked the 1-hour ozone standard (0.012 ppm) and replaced it with the aforementioned 8-hour standard. On November 6, 1991, most areas of the county were designated nonattainment or unclassifiable/attainment areas for ozone. At the time of certification of the 1998 EIR, the SJVAB had a classification of serious nonattainment with respect to the 1-hour standard.

PM10 levels, as measured at the Fresno First Street monitoring station (California Air Resources Board 2009a), reflect a trend with slight decreases during the 2007–2009 period for the annually averaged measurements, although levels remained well above the current state annual average standard of $20 \mu\text{g}/\text{m}^3$. The SJVAB is currently classified as a nonattainment area for PM10 under the CAAQS and a maintenance area for PM10 under the NAAQS. In 2006, the NAAQS for annually averaged PM10 was revoked. Attainment of the NAAQS is now based solely on the 24-hour threshold. In September 2008, EPA officially reclassified the SJVAB as an attainment area for PM10. This decision was based on 2003–2005 data and the decision to split the attainment jurisdiction into two regions, the San Joaquin Valley PM10 region and the East Kern PM10 region. In 1998, the region was in nonattainment status for PM10, according to both the NAAQS and CAAQS. In 2002, the state PM10 standard was reduced to the current level of $20 \mu\text{g}/\text{m}^3$ (California Air Resources Board 2008). In 1998, the SJVAB received a serious nonattainment classification for PM10, the most severe classification for nonattainment areas under the federal system. In 1998, the SJVAB was classified as a nonattainment area under the CAAQS. This state classification remains unchanged.

Sustained measurements of PM2.5 began at the Fresno First Street monitoring station in 1999. Reported data since that time (California Air Resources Board 2009a) indicate that PM 2.5 levels in the Fresno area are consistently above both the annually averaged NAAQS ($15 \mu\text{g}/\text{m}^3$) and CAAQS ($12 \mu\text{g}/\text{m}^3$). Levels of PM 2.5 are consistently between 15 and $22 \mu\text{g}/\text{m}^3$, and the available data show neither an increasing nor decreasing trend. The federal PM 2.5 standard was established in 1997, and the SJVAB was classified as a nonattainment area shortly thereafter (California Air Resources Board 2008), although only the PM10 standards and status are addressed in the 1998 EIR.

The CAAQS for CO was established in 1969 at a not-to-exceed level of 20 ppm in 8 hours. This was updated in 1970, 1982, and 1989 (California Air Resources Board 2008). In 1998, the CAAQS for CO was not to exceed 9 ppm in 8 hours or 20 ppm in 1 hour. This is still the state standard. In 1998, the Fresno-Clovis metropolitan area was classified as a nonattainment area for CO. At that time, SJVAPCD had submitted a request to EPA to reclassify the region as an attainment area. The region was reclassified shortly thereafter and has remained in attainment since that time.

The current state SO₂ standard was established in 1991 at a not-to-exceed level of 0.04 ppm in 24 hours. The SJVAB was not in violation of this standard in 1998 and is not in violation currently. Furthermore, the SJVAB was not in violation of the NAAQS for SO₂ in 1998 and is not in violation currently.

Applicable Regulations

This section discusses applicable regulations and regulatory concerns related to air quality and climate change. The Project, located in Fresno County, is within the SJVAB. SJVAPCD has jurisdiction over air quality issues throughout Fresno County as well as all of Tulare, Kings, Kern, Madera, Merced, Stanislaus, and San Joaquin Counties. SJVAPCD administers air quality regulations developed at federal, state, and local levels. Federal, state, and local air quality regulations applicable to the Project are described below, followed by a discussion of the evolving regulatory framework for climate change.

Air Quality Regulations

Federal Air Quality Requirements

The federal Clean Air Act (CAA), enacted in 1970 and amended twice thereafter (including the 1990 amendments), establishes the framework for modern air pollution control. At the federal level, EPA has been charged with implementing national air quality programs. EPA's air quality mandates are drawn primarily from the CAA. EPA established the NAAQS for criteria pollutants (see Table 3A-2). Federal criteria pollutants, discussed previously, include ozone, NO₂, SO₂, CO, PM₁₀, PM_{2.5}, and lead. Most standards have been set to protect public health. For some pollutants, standards have been based on other values (such as protection of crops, protection of materials, or avoidance of nuisance conditions). The SIP is the mechanism through which EPA and state and local jurisdictions work together to reduce criteria pollutant concentrations in regions of nonattainment. EPA must approve the SIP and allow for public comment before its adoption. The California SIP is divided according to air district jurisdictional boundaries, and EPA can approve portions of the SIP individually as the air district requires. A discussion of actions relevant to federal attainment status in the SJVAB and associated plans is provided below.

State Air Quality Requirements

Responsibility for achieving the CAAQS, which are in many cases more stringent than federal standards, is placed on CARB and local air pollution control districts. State standards are to be achieved through district-level air quality management plans, called "clean air plans." These clean air plans are to be updated every 3 years. The plans represent the state's strategy for attaining the CAAQS.

The California Clean Air Act (CCAA) requires local and regional air pollution control districts that are not in attainment for one or more of the CAAQS for criteria pollutants to adopt plans specifically designed to attain the standard. Each plan developed by a local control district must be designed to achieve an annual 5% reduction in district-wide emissions of each nonattainment pollutant or its precursors. CARB is responsible for developing plans and projects that achieve compliance with the state standards.

CARB oversees the activities of the local air districts but does not issue permits for stationary sources of air pollutants, which is the responsibility of each of the districts. CARB has the authority to set vehicle emissions standards for on-road vehicles and some off-road vehicles. In addition, CARB identifies and sets control measures for toxic air contaminants.

Role of the SJVAPCD: Implementation of Federal and State Requirements

SJVAPCD is responsible for establishing and enforcing local air quality rules and regulations in an effort to advance attainment in the valley for the CAAQS and NAAQS. Plans for reducing pollutant levels to levels below the national or state standards are approved by CARB or EPA but carried out by SJVAPCD. At the local level, responsibilities of air districts include overseeing stationary-source emissions, approving permits, maintaining emissions inventories, maintaining air quality stations, overseeing agricultural burning permits, and reviewing air quality-related sections of environmental documents required by CEQA.

The SJVAB is currently in nonattainment for ozone, PM₁₀, and PM_{2.5}. The district has developed plans to attain state and federal standards for ozone and particulate matter. The district's air quality plans include emissions inventories to measure the sources of air pollutants, evaluate how well different control methods have worked, and show how air pollution will be reduced. The plans also use computer modeling to estimate future levels of pollution and make sure that the valley will meet air quality goals on time. The air quality plans for demonstrating attainment are evolving documents that are updated triennially to reflect the changing population, economic, land use, and transportation conditions in the San Joaquin Valley. If the attainment status of the air basin changes, the plan would be updated. Three plans were approved in 2007–2008 for the SJVAB.

2007 Ozone Plan

Adopted on April 30, the 2007 Ozone Plan (San Joaquin Valley Air Pollution Control District 2007b), which calls for a 75% reduction in ozone-forming NO_x emissions, was approved by CARB in June 2007. These reductions come on the heels of past successful efforts in the San Joaquin Valley that have already reduced ozone precursor emissions by nearly 50%. Proposed regulatory measures

for mobile and stationary sources will reduce NO_x emissions by an estimated 61% by 2023. The remaining 14% will come from incentives and the deployment of advanced technologies. In addition to the reductions in NO_x emissions, full implementation of this plan will reduce VOCs emissions by 25% through regulatory measures. Under this plan, all proposed measures would be adopted before 2012. Additional measures requiring technology advancement or new incentive funding will also be adopted and implemented as they become available.

Supporting modeling analyses for the 2007 Ozone Plan project that the entire valley will achieve attainment of the 8-hour NAAQS by 2023. The plan also includes a “fast track” option for implementing new technologies and measures not included in the legally binding agreement, which could produce real benefits and lead to attainment prior to the 2023 target.

2007 PM10 Plan

In 2007, SJVAPCD sought reclassification under the NAAQS to be designated as an attainment area. Data from 2003–2006 showed significant improvement in the valley, and EPA found that levels of PM10 in the region were below the national standard.

The 2007 PM10 Maintenance Plan and Request for Redesignation (PM10 Maintenance Plan) (San Joaquin Valley Air Pollution Control District 2007c), approved on September 21, 2007, ensures that the valley will continue to meet the PM10 standard. It also requests EPA to redesignate, or label, the valley as an attainment area. On April 5, 2008, EPA stated its intent to approve the PM10 Maintenance Plan.

2008 PM2.5 Plan

The SJVAPCD governing board adopted the 2008 PM2.5 Plan on April 30, 2008. The strategies outlined in this plan will ensure that the valley attains the 1997 federal standard, the 2006 federal standard, and the state standard as soon as possible. Key elements of the plan include increased efforts to reduce direct emissions of PM2.5 in the valley. Supporting analyses for the plan project that attainment of the NAAQS will be reached by 2014. CARB approved the plan and submitted it to EPA on June 30, 2008.

Applicable San Joaquin Valley Air Pollution Control District Rules

The Project would be subject to all SJVAPCD rules and regulations. The Project would not result in project-level development but, rather, programmatically facilitate future development beyond the current time limits of the constituent

redevelopment plans. Each future development proposal within the project area would be subject to all SJVAPCD rules and regulations and would undergo a separate project-level CEQA analysis at that time.

Rules and regulations have been adopted by SJVAPCD to reduce emissions throughout the San Joaquin Valley. The Project does not explicitly include construction or specific operations but, rather, provides the opportunity and framework for future development. Future development occurring in the project area resulting from the Project would have to conform to SJVAPCD requirements, including the development of feasible mitigation (e.g., payment of fees, use of Tier II equipment, or executing a VERA).

A detailed discussion of key SJVAPCD rules and regulations that may be applicable to the redevelopment plan and subsequent development that the plan would facilitate is provided below. Note that some of the rules and regulations apply only at the development level. As a result, they are not directly applicable to a programmatic-level project. However, they are included to provide a comprehensive view of the regulatory environment.

Regulation II (Permits)

Regulation II (Rules 2010–2550) is a series of rules covering permitting requirements within the SJVAB. SJVAPCD regulations require any person constructing, altering, replacing, or operating any source operation that emits, may emit, or may reduce emissions to obtain authority to construct or a permit to operate.

Regulation VIII (Fugitive PM10 Prohibitions)

The Project does not identify specific developments but, rather, provides the framework for future development within the project area. A significant source of particulate matter from future development is construction. All future development proposals would be required to estimate construction-related particulate matter emissions due to construction pursuant to CEQA. Future development would be subject to SJVAPCD rules aimed at curbing particulate matter emissions.

The purpose of Regulation VIII is to reduce ambient concentrations of PM10 by requiring actions to prevent, reduce, or mitigate human-made fugitive dust emissions. Regulation VIII contains the following rules, which would be applicable to future development programmatically facilitated by the Project:

- Rule 8021: Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities;
- Rule 8031: Bulk Materials;
- Rule 8041: Carryout and Trackout;

- Rule 8051: Open Areas;
- Rule 8061: Paved and Unpaved Roads; and
- Rule 8071: Unpaved Vehicle/Equipment Traffic Areas.

Rule 1060 (Land Use)

This rule requires the air pollution control officer to review and advise the appropriate planning authorities within SJVAPCD regarding all new construction or changes in land use that the air pollution control officer believes could become a source of air pollution problems. This rule applies to any new or modified land use that emits or may emit air contaminants.

Rule 2201 (New and Modified Stationary-Source Review)

This rule requires review of new and modified stationary sources of air pollution and provides mechanisms by which authority to construct permits may be granted. Rule 2201 prohibits increases of emissions above specified thresholds from new and modified stationary sources for all nonattainment pollutants and their precursors.

Rule 3135 (Dust Control Plan Fee)

This rule requires the applicant to submit a fee in addition to a dust control plan. The purpose of this fee is to recover the SJVAPCD's cost for reviewing these plans and conducting compliance inspections.

Rule 4101 (Visible Emissions)

This rule prohibits emissions of visible air contaminants into the atmosphere. It applies to any source operation that emits or may emit air contaminants. Rule 4101 prohibits the discharge of any air contaminant that is as dark as or darker than 20% opacity for more than 3 minutes in 1 hour.

Rule 4102 (Nuisance)

This rule applies to any source operation that emits or may emit air contaminants or other materials. In the event that future development in the project area, or construction occurring as a result, creates a public nuisance such that SJVAPCD receives complaints, it could be in violation and subject to SJVAPCD enforcement action. All future development in the project area will be required to fulfill CEQA obligations and disclose anticipated nuisance conditions unique to the specific development.

Rule 4103 (Open Burning)

This rule regulates the burning of agricultural material. Rule 4103 explicitly states that agricultural material generated as a result of land use conversion from agricultural to nonagricultural purposes shall not be burned.

Rule 4201 (Particulate Matter Concentration)

This rule protects ambient air quality particulate standards. Rule 4201 applies to all sources that discharge dust, fumes, or particulate matter. Discharges into the atmosphere from any single-source operation may not exceed 0.1 grain per cubic foot.

Rule 4202 (Particulate Matter Emission Rate)

Rule 4202 applies to all sources that emit or may emit particulate matter. Discharges into the atmosphere from any single source operation may not exceed the process weight-based limitations specified in the rule.

Rule 4306 (Boilers, Steam Generators, and Process Heaters)

This rule requires all boilers and steam generators with a heat input rating greater than 5 million British thermal units (Btu) per hour to achieve certain exhaust limits for NO_x and CO. This rule was established in 2003 as part of the strategy for achieving ozone attainment.

Rule 4601 (Architectural Coatings)

This rule limits the amount of VOCs in architectural coatings. It specifies storage, cleanup, and labeling requirements for architectural coatings.

Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt; Paving; and Maintenance Operations)

If asphalt paving will be used, paving operations will be subject to this rule. This rule applies to the manufacture and use of cutback asphalt, slow-cure asphalt, and emulsified asphalt for paving and maintenance operations.

Rule 4661 (Organic Solvents)

This rule limits emissions of VOCs from the use of organic solvents and specifies reduction, monitoring, reporting, and disposal requirements. Sources that are subject to or specifically exempted by other rules, including Rule 4601 (Architectural Coatings), are exempt from this rule.

Rule 4663 (Organic Solvent Cleaning, Storage, and Disposal)

This rule includes restrictions on the types of solvents that may be used as well as restrictions on the organic content of solvents used for cleaning, especially cleaning related to medical devices and pharmaceuticals.

Rule 4701 (Internal Combustion Engines)

This rule limits emissions of NO_x, CO, and VOCs from internal combustion engines. These limits are not applicable to standby engines as long as they are used fewer than 200 hours per year (e.g., for testing during non-emergencies).

Rule 4702 (Internal Combustion Engines)

This rule limits emissions of NO_x, CO, and VOCs from spark-ignited internal combustion engines.

Rule 4901 (Wood-Burning Fireplaces and Wood-Burning Heaters)

This rule limits emissions of carbon monoxide and particulate matter from wood-burning fireplaces and wood-burning heaters and establishes a public education program to reduce emissions from wood burning. It restricts sales and transfers of wood-burning heaters, limits wood-burning fireplaces or heaters in new residential developments, and prohibits certain fuel types. Specifically:

- No person shall install a wood-burning fireplace in a new residential development with a density greater than two dwelling units per acre,
- No person shall install more than two EPA Phase II–certified wood-burning heaters per acre in any new residential development with a density equal to or greater than three dwelling units per acre,
- No person shall install more than one wood-burning fireplace or wood-burning heater per dwelling unit in any new residential development with a density equal to or less than two dwelling units per acre, and

- No person shall sell or transfer any real property that contains a wood-burning heater without first ensuring that each wood-burning heater included in the real property is 1) EPA Phase II certified, 2) a pellet-fueled wood-burning heater, 3) permanently rendered inoperable, or 4) removed.

Rule 4902 (Residential Water Heaters)

This rule limits NO_x emissions from residential water heaters. It restricts natural gas-fired water heaters that emit more than 40 nanograms of NO_x per joule of heat output and requires certification and identification of water heaters.

Exemptions to the rule include natural gas-fired water heaters with a rated heat input of more than 75,000 Btu per hour, water heaters using fuels other than natural gas, natural gas-fired heaters used exclusively to heat swimming pools or hot tubs, and water heaters used exclusively in recreational vehicles.

SJVAPCD has identified several strategies for reducing emissions generated by indirect sources. These strategies include enhanced CEQA participation, encouraging all cities and counties in the SJVAB to adopt air quality elements or air quality policies as part of their general plans, implementation of a new and modified indirect source review program, and use of air quality emission-reduction agreements/VERA (discussed below). SJVAPCD now actively reviews and comments on CEQA documents prepared by lead agencies and suggests mitigation measures to reduce air quality impacts.

AB 170 of 2003 requires cities and counties in the San Joaquin Valley to amend their general plans to include data and analysis, comprehensive goals, policies, and feasible implementation strategies designed to improve air quality. The air quality guidelines for general plans, first adopted by SJVAPCD in 1994 and revised in June 2005, is the primary means for implementing this strategy.

Indirect Source Mitigation Fee (Rule 9510, ISR, Rule 3180)

Indirect sources are land uses that attract or generate motor vehicles trips. Indirect source emissions are a source of many pollutants, principally PM₁₀, ROGs, and NO_x. SJVAPCD included a requirement in the adopted 2003 PM₁₀ Plan to develop and implement an Indirect Source Rule (ISR). The governing board of the SJVAPCD approved Rule 9510 (Indirect Source Review) and Rule 3180 (Administrative Fees for Indirect Source Review) on December 15, 2005. The rules took effect on March 1, 2006. Rule 9510 is intended to fulfill SJVAPCD's emission reductions commitments in the PM₁₀ and ozone attainment plans. The 2008 PM_{2.5} Plan (adopted after Rule 9510 was implemented) also relies upon the ISR to achieve the emissions reductions necessary to attain the standard. Supporting documentation regarding the development and implementation of the ISR program can be found through SJVAPCD (<<http://www.valleyair.org/rules/currnrules/r9510.pdf>>).

The purpose of Rule 9510 is to reduce emissions of NO_x and PM_{10} from future development. The rule applies to developments that seek to gain discretionary approval and, upon full buildout, will include any one of the following: 50 residential units, 2,000 square feet of commercial space, 25,000 square feet of light industrial space, 20,000 square feet of medical or recreational space, 39,000 square feet of general office space, 100,000 square feet of heavy industrial space, 9,000 square feet of educational space, 10,000 square feet of government space, or 9,000 square feet of any land use not identified above. However, several sources are exempt from the rule, including reconstruction projects that result from a natural disaster and development whose primary source of emissions is subject to SJVAPCD Rules 2201 and 2010, which address stationary sources. Transportation and transit projects are not exempt from the rule if construction emissions equal or exceed 2.0 tons of NO_x or PM_{10} exhaust emissions. The emission reductions expected from the rule allow SJVAPCD to achieve attainment of the federal air quality standards for ozone by 2023.

Any development that has a mitigated baseline of less than 2 tons per year for NO_x and PM_{10} is exempt from the mitigation requirements of the rule. Developers are encouraged to reduce as much air pollution as possible through on-site mitigation or the incorporation of air-friendly designs and practices into the development. Some examples include bike paths and sidewalks; traditional street design; medium- to high-density residential developments; locating near bus stops and bike paths; locating near different land use zones, such as commercial; and increasing energy efficiency. If these practices do not completely meet the required reductions (under the rule), new developments would be required to mitigate the remainder of their emissions by contributing to a mitigation fund, which would fund the most cost-effective projects to reduce emissions. Examples of such projects include retirement and crushing of gross polluting cars, replacement of older diesel engines and diesel-powered vehicles, and programs to encourage the replacement of gas-powered lawnmowers with electric lawnmowers.

The ISR requires developers to reduce 20% of NO_x from construction exhaust, 45% of PM_{10} from construction exhaust, 33% of operational NO_x over 10 years, and 50% of operational PM_{10} over 10 years.

Implementation of the Indirect Source Mitigation Fee on a basin-wide level is important because growth across the eight-county region would occur at different intensities. If the fee is adopted on a jurisdiction-by-jurisdiction basis, then any reduction achieved on a cumulative level by one jurisdiction could be canceled out by a faster growing area without a mitigation fee.

Each future development proposal within the project area would have to undergo a separate CEQA review analysis that includes identification of appropriate mitigation measures when required. Future development can mitigate its emissions to less-than-significant levels through a VERA with SJVAPCD. The VERA is developed on a project-by-project basis after quantifying project-level emissions, and its implementation is monitored by SJVAPCD. If emissions are

not mitigated to a level of zero “net” increases, in the absence of a VERA, future development projects would be subject to paying emissions fees under Rule 9510.

Development Mitigation Contracts

A development mitigation contract (DMC) is an air quality mitigation measure by which a developer enters into a contractual agreement with SJVAPCD to reduce a development project’s impact on air quality beyond that achieved by compliance with Rule 9510. Although the district calls this agreement a voluntary emission-reduction contract, if required in a mitigation measure, it is fully enforceable through the terms of the contract. The terms voluntary emission-reduction contract and DMC are the same, only with slightly different names, and are used interchangeably throughout this document. Implementation of the DMC is comparable to the ISR; project emissions are characterized, funds are paid to SJVAPCD, and SJVAPCD administers the funds to secure the required emission-reduction projects. For projects subject to Rule 9510, the DMC must exceed the air quality benefits from compliance with ISR. Therefore, project proponents that enter into a DMC are considered in compliance with Rule 9510. Examples of emission-reduction projects include retirement and crushing of gross polluting cars, replacement of older diesel engines and diesel-powered vehicles, and programs to encourage the replacement of gas-powered lawnmowers with electric lawnmowers. The district’s 2007 annual report regarding its indirect source review program (April 30, 2007) includes emission reductions from DMCs and VERAs, totaling 824.07 tons NO_x, 33.71 tons of PM₁₀, and 94.99 tons of ROG. The district’s 2008 annual report regarding its indirect source review program (June 19, 2008) identifies reductions attributable to Rule 9510, including DMC agreements, for combined on- and off-site emission reductions totaling 2,078 tons for NO_x and 1,087 tons for PM₁₀.

Air Quality Conformity Designations for Transportation Plans and Programs

The CAA amendments of 1990 require any project, program, or plan subject to approval by a metropolitan planning organization to conform to air plans for attainment of air quality standards. The Council of Fresno County Governments (Fresno COG) is designated the regional transportation planning agency and metropolitan planning organization for Fresno County. In that capacity, Fresno COG models air quality projections according to population projections in conjunction with current general plan designations and estimated vehicle miles in conjunction with the current regional transportation plan (RTP) and the federal transportation plan for Fresno County. These results are compared with pollutant budgets for each basin approved by EPA in the 1999 base year. Fresno COG makes conformity findings for each air basin. Because Fresno County does not currently meet the federally required standards for clean air, Fresno COG focuses on strategies for transportation management. Fresno COG works with SJVAPCD

to reduce pollution generated through current and future transportation practices. Requiring projects within the region to conform to the RTP developed by Fresno COG is one means of achieving this goal.

The 1998 EIR (Redevelopment Agency of the City of Fresno 1998) conformed to the then-current RTP. The extension of time and financial limits outlined in the Project was considered in the general plan and its amendments and, as such, conforms to the current RTP.

2025 Fresno General Plan

SJVAPCD, CARB, and EPA do not have any land use or development planning authority, both of which are connected to local air quality through the types of land uses permitted and activity level of those use types. SJVAPCD works with local jurisdictions to amend and augment general plans and, in turn, improve air quality in the region. Air quality is managed through land use and development planning practices. These practices are implemented in the City through the general plan and its related regulatory ordinances. The general plan (City of Fresno 2002a), adopted in November of 2002, contains goals, policies, objectives, and implementation measures that comprehensively address general conditions and site-specific circumstances that may affect air quality. The city council amended the air quality element of the general plan on June 25, 2009, to comply with the requirements of AB 170. As discussed in the updated air quality element of the general plan (City of Fresno 2009), the broad objectives of the plan relevant to air quality are as follows:

- pursue coordinated regional planning with Fresno and Madera Counties and the City of Clovis;
- preserve and revitalize neighborhoods, the downtown, and historical resources;
- support the Growth Alternatives Alliance, “Landscape of Choice—Principles and Strategies,” as based on the Ahwahnee Group Principles, both of which are included in the general plan appendix;
- coordinate land uses and circulation systems to promote a viable and integrated multi-modal transportation network;
- manage growth to balance Fresno’s urban form while providing an adequate public service delivery system that is fairly and equitably financed;
- provide activity centers and intensity corridors within plan areas to create a mix of land uses and amenities that foster community identity and reduce travel;
- protect, preserve, and enhance significant biological, archaeological, and paleontological resources and critical natural resources, including air, water, agricultural soils, minerals, plants, and wildlife resources; and
- protect and improve public health and safety.

The Project does not propose site-specific development projects but, rather, programmatically facilitates possible future development beyond the current time limits of the constituent redevelopment plans outlined in 1998. Future development facilitated by the Project would have to quantify existing and post-project emissions. Each future development proposal within the project area would have to undergo a separate project-level CEQA analysis to obtain necessary discretionary approval and to conform to SJVAPCD requirements as part of the analysis, including quantification of emissions. Each project-level CEQA analysis would have to be consistent with goals set forth in the general plan. The URBEMIS model outputs for individual projects within the project area will be used to determine the significance of development projects' air quality impacts as well as the basis for any project-specific air quality mitigation measures. Criteria pollutant emissions, as calculated using standard modeling methodologies recommended by SJVAPCD, will be judged in the context of the region's ability to meet the attainment goals defined in the specific ozone and PM plans discussed previously and general conformity with the general plan and its amendments. Improvements in particulate matter and ozone levels in recent years (California Air Resources Board 2009a) indicate that SJVAPCD's attainment plans are affecting regional air quality in a positive way. Conformity of future development projects within the project area with the attainment plans for pollutants of concern in the region will ensure continued improvement in regional air quality.

Air Quality Update of the General Plan – Resource Conservation Element

The general plan air quality update and its MEIR (2002b) gave emphasis to pursuing cleaner air as an over-arching goal. General plan goals, objectives, and policies and MEIR mitigation measures outlined actions for the City to pursue within its own operations to reduce emissions. The City has been pursuing the following (City of Fresno 2009):

- The Fresno Area Express (FAX) bus fleet and the Department of Public Utilities solid waste collection truck fleet are being converted to cleaner fuels;
- Lighter duty vehicle fleets are incorporating alternative fuels and hybrid vehicles;
- Mass transit system improvements are supporting increased ridership;
- Sidewalk, paseo, bicycle lane construction is required for new development projects and being incorporated into already-built segments of City rights-of-way, with financing from grants, gas taxes, and other road construction revenues;
- Traffic signal synchronization is being implemented; and
- The City Planning and Development Department amended the Fresno Municipal Code to ban all types of residential wood-burning appliances, thereby removing the most prominent source of particulate matter pollution from new construction.

The updated air quality element (City of Fresno 2009) contains a detailed discussion of the numerous policies adopted in the general plan to promote improvements in air quality. These policies include operational stipulations pertaining to fire departments, public works departments, airports, development projects, construction, parks and recreation, and waste practices as well as policies to be pursued within the planning process to reduce pollutant emissions through reduced VMT. A list of planning and land use-related policies in the air quality update is provided here:

- incorporate multi-use activity centers and high-intensity transportation corridor concepts;
- implement the City's Urban Growth Management Program;
- promote infill and appropriately intensified development within the center city and other appropriate locations near transportation routes;
- implement mixed-use development guidelines that provide more pedestrian-oriented neighborhoods;
- require subdivision and other residential development designs that facilitate pedestrian access to bus stops and other transportation routes;
- maintain and improve transit-related requirements for development, including on-site bus parking;
- expand programs to reduce VMT, stop-and-go traffic, and congestion through various strategies, such as optimized signal timing, interconnected signals, computer-based controls, and traffic-actuated signals;
- complete the City's network of alternative bicycle and pedestrian transportation routes;
- provide for installation and maintenance of landscaping that promotes good air quality;
- support employer programs for staggered work week hours, telecommuting, and worker incentives to use carpools and/or public transit;
- continue efforts to improve FAX technical performance, emission levels, and system operations;
- evaluate and pursue long-range transportation measures, such as express bus, light rail, mass transit corridor, and HOV lane measures, and acquisition by the City of land for bus turning and parking; and
- install bike lanes, paths, and trails.

Impacts and Mitigation

This section describes the Project's impacts on air quality. First, it describes the method used for impact analysis, then lists the thresholds used to evaluate whether an impact would be significant. It discusses impacts from construction (temporary, short term) as well as from operation of each component of the Project and the Project as a whole (permanent, long term). Mitigation measures to reduce significant impacts immediately follow each impact discussion, as necessary.

Methodology

This Draft SEIR is being prepared to address new significant environmental effects or increases in the severity of the environmental issues disclosed in the 1998 EIR. The methodology employed for this Draft SEIR provides a comprehensive yet qualitative assessment of air quality conditions in the area, the changes since 1998, and updates or new regulations applicable to the project area.

No specific developments are identified as part of the Project that are substantially different from the project analyzed in the 1998 EIR. Rather, the Project proposes changes to time and financial limits and incorporates more streamlined language, consistent with the general plan, for the redevelopment plan. As a result, a separate CEQA analyses will be required for future site-specific projects within the project area. These specific analyses will follow standard methodologies recommended by SJVAPCD for calculating pollutant emissions and follow district guidance for determining significance. SJVAPCD consolidates the most up-to-date guidance in the GAMAQI. A summary of common standard methods of analysis and thresholds for air quality is provided in Table 3A-16, below. The table lists the models used in the general operational thresholds, the pollutants to which they apply, and the standards to which the model results will be compared for significance determination.

Criteria for Determining Significance

To ascertain what would likely pose a significant impact from a particular project, local, state, and federal agencies have developed various means by which a project's impacts may be measured and evaluated. Such measures of significance can generally be categorized as follows:

- measures adopted by air quality agencies to guide lead agencies in their evaluation of air quality impacts under CEQA;
- measures used in the evaluation of industrial or stationary sources, in conjunction with an application for and issuance of the authority to construct or permit to operate, or to determine the applicability of other permit program requirements (i.e., New Source Review);
- measures used to determine if a project will cause or contribute significantly to violations of the ambient air quality standards or other concentration-based limits; and
- measures used in areas where severe air quality problems exist.

Table 3A-16. Standards Used for General Thresholds of Significance

Thresholds of Significance	Pollutant(s)	Standard	Modeling Technique
Conflict with or obstruct implementation of applicable air quality management plan	PM10, PM2.5	EPA's Prevention of Significance – Significant Impact	AERMIC Model (AERMOD), Caline 4, URBEMIS EMFAC2007
	NO _x	Levels (prevention of significant deterioration [PSD] of significant impact levels [SILs]) for on-site sources, GAMAQI for indirect sources	
	SO _x		
	CO	NAAQS, CAAQS	URBEMIS EMFAC2007
	Ozone and ROGs	New Source Review Rule of SJVAPCD for on-site sources, GAMAQI for indirect sources	
	Visibility	Air quality-related values (AQRVs)	
Violate any ambient air quality standard or contribute substantially to an existing or projected air quality violation	PM10, PM2.5	PSD SILs NAAQS, CAAQS for on-site sources, GAMAQI for indirect sources	AERMIC Model (AERMOD), Caline4 URBEMIS EMFAC2007
	NO _x		
	SO _x		
	CO		URBEMIS EMFAC2007
	Ozone and ROGs	New Source Review Rule of SJVAPCD for on-site sources, GAMAQI for indirect	
	Visibility	AQRVs	
Result in a cumulatively considerable net increase in any criteria pollutant for which the project region is in nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)	PM10, PM2.5	PSD SILs NAAQS, CAAQS for on-site sources, GAMAQI for indirect sources	AERMIC Model (AERMOD), Caline4 URBEMIS EMFAC2007
	NO _x		
	SO _x		
	CO		URBEMIS EMFAC2007
	Ozone and ROGs	New Source Review Rule of SJVAPCD for on-site sources, GAMAQI for indirect sources	
	Visibility	AQRVs	

Thresholds of Significance	Pollutant(s)	Standard	Modeling Technique
Expose sensitive receptors to substantial pollutant concentrations	PM10, PM2.5	PSD SILs NAAQS, CAAQS for on-site sources, GAMAQI for indirect sources	AERMIC Model (AERMOD), Caline4 URBEMIS
	NO _x		
	SO _x		
	CO		
	Ozone	New Source Review Rule of SJVAPCD for on-site sources, GAMAQI	URBEMIS EMFAC2007
	Air Toxics	10 x 10 ⁻⁶ excess cancer risk 1.0 non-cancer health risk	HARP EMFAC2007
	Visibility	AQRVs	EPA VISCREEN,
Create objectionable odors	SO _x , H ₂ S	PSD SILs, NAAQS, CAAQS, odor thresholds, GAMAQI (odor complaints)	AERMIC Model (AERMOD)

Summary tables of these emission-based and concentration-based measures of significance are provided below along with a discussion of their applicability for each pollutant (see Tables 3A-17 through 3A-23). Measures adopted for the evaluation of air quality impacts under CEQA as well as those used in areas with severe air quality issues were used when assessing the Project.

Measures Adopted for the Evaluation of Air Quality Impacts under CEQA

To maintain consistency with CEQA, SJVAPCD adopted guidelines (2002) to assist applicants in complying with various requirements. According to SJVAPCD's GAMAQI, potentially significant air quality impacts are identified as effects that

- conflict with or obstruct implementation of the applicable air quality plan,
- cause a violation of an air quality standard or contribute substantially to an existing or projected air quality standard,
- cause a cumulatively considerable net increase in a criteria pollutant for which the project region is designated a nonattainment area under an applicable federal or state ambient air quality standard (including emissions that exceed quantitative thresholds for ozone precursors),
- expose sensitive receptors to substantial pollutant concentrations, or
- cause the creation of objectionable odors that affect a substantial number of people.

The GAMAQI thresholds are designed to implement the general criteria for air quality emissions required in the State CEQA Guidelines, Appendix G (California Code of Regulations 2009), and encouraged by CEQA. As such, SJVAPCD thresholds provide a means by which the general standards set forth by Appendix G may be used to quantitatively measure the air quality impacts of a specific project.

Measures Based on Ambient Air Quality Impacts

The State CEQA Guidelines, Appendix G (Environmental Checklist) (California Code of Regulations 2009), state that a project that would “violate an air quality standard or contribute substantially to an existing or projected air quality violation” would create a significant impact on air quality. Therefore, an air quality impact analysis should determine whether the emissions from a project would cause or contribute significantly to violations of the NAAQS or CAAQS when added to existing ambient concentrations.

To clarify what determines a significant impact level, EPA established the federal PSD program to assess whether a project should be required to conduct a detailed cumulative increment analysis in areas deemed to be in attainment with the NAAQS. A project’s impacts are considered negligible if emissions are below the prevention of significant deterioration (PSD) significant impact levels (SILs) for a particular pollutant. When the SIL is exceeded, an additional increment analysis is required. The increment analysis encompasses both the project and certain other existing, proposed, and reasonably foreseeable projects. Incremental increases in the deterioration of air quality may be considered minor or insignificant. Emissions impacts below these thresholds are considered insignificant on both a project level and a cumulative level.

Measures Used in Areas with Severe Air Quality Issues

The SJVAB is currently in nonattainment status for ozone, PM10, and PM2.5. The Project does not identify any specific development that would be significantly different from the project analyzed in 1998. In 1998, the region was in nonattainment for ozone and PM10. At the time of the 1998 EIR, federal and state standards were not in place for PM2.5. While levels of ozone and PM10 have declined in response to the air quality attainment plan (AQAP), subsequent projects within the Fresno area could add criteria pollutants for which the region is in nonattainment. SJVAPCD has specific thresholds for particulate matter and ozone precursors, and future projects would be subject to these thresholds. Specifically, impacts would be significant if implementation of the Project would exceed any of the adopted thresholds listed in Tables 3A-17 through 3A-23.

Details regarding thresholds for all criteria pollutants, as set forth by SJVAPCD and other agencies, are provided in Tables 3A-17 through 3A-23. These thresholds or updates to the thresholds would be applicable to subsequent project-level CEQA analyses resulting from the redevelopment plan.

Table 3A-17. Measures of Significance – Ozone (ROGs and NO_x Emissions)

Agency	Level	Description
Measures Adopted for the Evaluation of Impacts Under CEQA		
SJVAPCD	10 tons/yr NO _x 10 tons/yr ROGs	SJVAPCD GAMAQI, August 20, 1998 (Revised January 10, 2002)
SJVAPCD	Not Significant	If construction emissions do not exceed State CEQA Guidelines for ozone precursors during operation, then construction impacts are assumed to be less than significant when compliance with Regulation VIII is achieved and the control measures of GAMAQI Tables 6-3 and 6-4 are implemented, as appropriate.

Table 3A-18. Measures Based on Ambient Air Quality Impacts (NO_x)

Agency	Level	Description
CARB	470 µg/m ³	CAAQS 1-hour standard for NO ₂
EPA	100 µg/m ³	NAAQS annual standard for NO ₂
EPA	1.0 µg/m ³	Class II SIL for PSD
EPA	25 µg/m ³	Class II increment for PSD

Table 3A-19. Measures of Significance – Carbon Monoxide (CO)

Agency	Level	Description
Measures Adopted for the Evaluation of Impacts under CEQA		
SJVAPCD	9 ppm, 8-hour average 20 ppm, 1-hour average	SJVAPCD GAMAQI, August 20, 1998 (Revised January 10, 2002)
SJVAPCD	Not Significant	If construction emissions do not exceed State CEQA Guidelines for ozone precursors during operation, then construction impacts are assumed to be less than significant when compliance with Regulation VIII is achieved and the control measures of GAMAQI Table 6-4 are implemented, as appropriate.
Measures Based on Ambient Air Quality Impacts		
CARB	10,000 µg/m ³	CAAQS 1-hour standard for CO
	23,000 µg/m ³	CAAQS 8-hour standard for CO

Table 3A-20. Measures of Significance – Sulfur Dioxide (SO₂)

Agency	Level	Description
Measures Adopted for the Evaluation of Impacts under CEQA		
SJVAPCD	Not Significant	If construction emissions do not exceed State CEQA Guidelines for ozone precursors during operation, then construction impacts are assumed to be less than significant when compliance with Regulation VIII is achieved and the control measures of GAMAQI Table 6-4 are implemented, as appropriate.
Measures Based on Ambient Air Quality Impacts		
CARB	655 µg/m ³	CAAQS 1-hour standard for SO ₂
	105 µg/m ³	CAAQS 24-hour standard for SO ₂
EPA	1,300 µg/m ³	NAAQS 3-hour standard for SO ₂
	80 µg/m ³	NAAQS annual standard for SO ₂
	25 µg/m ³	3-hour Class II SIL for PSD
	5 µg/m ³	24-hour Class II SIL for PSD
	1.0 µg/m ³	Annual Class II SIL for PSD
	512 µg/m ³	3-hour Class II increment for PSD
	91 µg/m ³	24-hour Class II increment for PSD
	50 µg/m ³	Annual Class II increment for PSD

Table 3A-21. Measures of Significance – Respirable Particulates (PM₁₀)

Agency	Level	Description
Measures Adopted for the Evaluation of Impacts under CEQA		
SJVAPCD	Not Significant	If construction emissions do not exceed State CEQA Guidelines for ozone precursors during operation, then construction impacts are assumed to be less than significant when compliance with Regulation VIII is achieved and the control measures of GAMAQI Tables 6-2 and 6-3 are implemented, as appropriate.
Measures Based on Ambient Air Quality Impacts		
CARB	50 µg/m ³	CAAQS 24-hour standard for PM ₁₀
	20 µg/m ³	CAAQS annual standard for PM ₁₀
EPA	5 µg/m ³	24-hour Class II SIL for PSD
	1 µg/m ³	Annual Class II SIL for PSD
	30 µg/m ³	24-hour Class II increment for PSD
	17 µg/m ³	Annual Class II increment for PSD

Table 3A-22. Measures of Significance – Respirable Particulates (PM2.5)

Agency	Level	Description
Measures Adopted for the Evaluation of Impacts under CEQA		
SJVAPCD	Not Significant	If construction emissions do not exceed State CEQA Guidelines for ozone precursors during operation, then construction impacts are assumed to be less than significant when compliance with Regulation VIII is achieved and the control measures of GAMAQI Tables 6-2 and 6-3 are implemented, as appropriate.
Measures Based on Ambient Air Quality Impacts		
CARB	12 µg/m ³	CAAQS annual standard for PM2.5
EPA	35 µg/m ³	NAAQS 24-hour standard for PM2.5
	15 µg/m ³	NAAQS annual standard for PM2.5

Table 3A-23. Measures of Significance – Toxic Air Contaminants (TACs)

Agency	Level	Description
Measures Adopted for the Evaluation of Impacts under CEQA		
SJVAPCD	Not Significant	If construction emissions do not exceed State CEQA Guidelines for ozone precursors during operation, then construction impacts are assumed to be less than significant when compliance with Regulation VIII is achieved and the control measures of CEQA Appendix G Tables 6-3 and 6-4 are implemented, as appropriate.
	10 in 1 million	Carcinogenic risk limit for maximally exposed individual
	Hazard Index > 1	Chronic and acute hazard index risk for maximally exposed individual

Visibility

Visibility-reducing particles (VSP) consist of suspended particulate matter, which is a complex mixture of tiny particles made up of dry solid fragments, solid cores with liquid coatings, and small droplets of liquid. These particles vary greatly in shape, size, and chemical composition and can be composed of many different materials, such as metals, soot, soil, dust, and salt. Models such as EPA's VISCREEN are commonly used to assess a project's visibility impact on Class 1 Areas and military facilities.

The CAAQS for VRP are based on a policy determination that finds that a minimum degree of visibility is conducive to the public welfare, regardless of location. This policy is implemented as a statewide minimum extinction limit for dry air particles of 0.23/kilometer (230 Mm-1), averaged from 9 a.m. to 5 p.m. (Pacific Standard Time), when relative humidity (RH) is less than 70%. This is roughly equivalent to $V_r = 10$ miles. Equivalent PM10 concentrations when this standard is just met range from about $50 \mu\text{g}/\text{m}^3$ for a urban setting dominated by fine particles (e.g., Sacramento in the winter) to $90 \mu\text{g}/\text{m}^3$ or more for a mixture of coarse and fine particles (e.g., the Central Valley in summer) (California Air Resources Board 2005). The Project in and of itself will not be judged against specific visibility thresholds. However, future proposals within the project area would be subject to a determination of significance based on the then-current visibility thresholds.

Health Risk-Based Thresholds

The California Office of Environmental Health Hazard Assessment (OEHHA) is responsible for setting health risk thresholds for air toxics. These thresholds include reference exposure levels (RELs) for non-carcinogenic toxins that pose potential acute and/or chronic health risks and unit risk factors (URFs) for carcinogens. The RELs and URFs represent exposure levels that OEHHA deems not likely to cause adverse effects in a human population, including sensitive receptors. These thresholds are based on the most recent scientific data and designed to protect the most sensitive individuals in the population by inclusion of margins of safety. The thresholds, as approved by SJVAPCD (2002), for a person with maximum exposure, set the potential to increase cancer risks at

- 10 in 1 million, or
- a non-cancer hazard index greater than 1 for both acute and chronic exposure.

No thresholds of significance for Valley Fever have been adopted by the state or by the City. However, the likelihood of its occurrence can be determined based on a project's location.

Construction-Specific Thresholds

The SJVAPCD approach to analyses of construction impacts is to require implementation of effective and comprehensive control measures rather than to require detailed quantification of emission concentrations for modeling of direct impacts. PM10 emitted during construction can vary greatly depending on the level of activity, the specific operations taking place, the equipment being operated, local soils, weather conditions, and other factors, making quantification difficult. Despite this variability in emissions, experience has shown that there are a number of feasible control measures that can be reasonably implemented to significantly reduce PM10 emissions from construction. SJVAPCD has determined that compliance with Regulation VIII at all sites and implementation

of the control measures indicated in Tables 6-2 and 6-3 of the GAMAQI (as appropriate, depending on the size and location of the project site) would constitute sufficient mitigation to reduce PM10 impacts to a level considered less than significant (San Joaquin Valley Air Pollution Control District 2002). SJVAPCD has adopted Rule 9510, the Indirect Source Review Rule, which is designed to reduce construction PM10 by 50% and construction NO_x by 33.3%. Additionally, project proponents can choose to enter into a VERA as a project design feature to reduce emissions of ROGs, NO_x, and PM10 resulting from a project to zero, which exceeds the Rule 9510 requirements.

The Project does not identify site-specific development proposals but, rather, allows for the continuation of activities of the Agency through amendments pertaining to the time and financial limits of the existing constituent redevelopment plans. No specific construction projects are analyzed as part of this Draft SEIR, but subsequent projects programmatically facilitated by the Project would be subject to all SJVAPCD rules and regulations pertaining to construction activities. All practicable mitigation measures would be implemented during the construction phase of future development within the project area.

Cumulative Thresholds¹

According to GAMAQI, any proposed project that would individually have a significant air quality impact would also be considered to have a significant cumulative air quality impact. If a project impact is individually less than significant, the impacts of the surrounding past, present, and future projects must be taken into account. The cumulative impact discussion is included for full disclosure and is discussed in detail in Chapter 4, Cumulative Impact Analysis.

Project Impacts

Impact AQ-1. The Project would violate an air quality standard or contribute substantially to an existing or projected air quality violation.

Future development in the project area that occurs as a result of the Project could generate a substantial amount of emissions from construction and operations, which could violate air quality standards. Emissions associated with exhaust from construction equipment, fugitive dust, energy consumption, and mobile sources could exceed thresholds established by SJVAPCD. However, the Project would not result in additional emissions beyond the levels disclosed in the 1998 EIR. The Project would extend time and financial limits associated with the constituent redevelopment plans but would not induce growth, increase

¹ State CEQA Guidelines, CCR Title 14, Division 6, Chapter 3, Article 9, Section 15130.

population, or add to VMT beyond the levels called out in the existing plans. Because the Project would not result in additional development beyond that disclosed in the 1998 EIR, the Project would be in conformity with the various air quality plans for the Fresno area.

The 1998 EIR states that future development in the project area would result in construction- and operations-related air quality impacts. However, it establishes mitigation to comply with current SJVAPCD fugitive dust rules as well as construction-period mitigation (e.g., site watering, high-wind considerations, transport covering, disturbance minimization, construction vehicle speed limits, sweeping requirements, and proper engine maintenance requirements) (Redevelopment Agency of the City of Fresno 1998). The 1998 EIR also establishes mitigation for operations-related air quality impacts by requiring all future development within the project area to comply with current review and permitting procedures developed by SJVAPCD as well as long-term mitigation pertaining to site design criteria for commercial and industrial areas, circulation improvements, building design criteria, and pedestrian and bicycle access accommodation) (Redevelopment Agency of the City of Fresno 1998).

The 1998 EIR acknowledges that “although the mitigation measures (found in the EIR) would temper air quality effects, short-term effects resulting from construction and operations of development would remain significant” (Redevelopment Agency of the City of Fresno 1998). Development as a result of the Project could generate a substantial amount of emissions from construction and operations, which could violate air quality standards. Emissions associated with exhaust from construction equipment, fugitive dust, energy consumption (e.g., emissions associated with natural gas), and mobile sources could exceed thresholds established by SJVAPCD. The significance of this impact was disclosed in the 1998 EIR. Except for areas where the ozone attainment classification is a concern, the Project would not result in new or more severe impacts.

The SJVAB was recently classified as an extreme nonattainment area for ozone. Emissions associated with buildout of the project area could exacerbate these current air quality violations.

Designation of the SJVAB as an extreme nonattainment area pushes the deadline for the region to achieve attainment from 2013 to 2024. Modeling studies performed in support of the 2007 Ozone Plan (San Joaquin Valley Air Pollution Control District 2007b) project that the entire valley will achieve attainment of the 8-hour NAAQS by 2023, in effect demonstrating that the region will not be able to reach the 2013 target. The 1998 EIR determined that full buildout of the project area would result in short-term impacts from construction and long-term impacts from operation and project-generated VMT. The extension of the deadline to achieve attainment status does not alter this conclusion. Businesses, residents, developers, and parties requesting stationary-source permits would be subject to all SJVAPCD rules and regulations set forth (and approved by EPA as part of the SIP) to achieve attainment status. However, this requirement addresses only a portion of the ozone impact in the project area. One of the

largest sources of NO_x is vehicle exhaust, particularly diesel exhaust, and vehicle emissions are controlled by CARB. The reduction of vehicle-related emissions can be pursued through community plans, general plans, and RTPs. Key elements of these plans to promote low-VMT development are provided below.

The 1998 EIR concluded that, with mitigation, impacts on air quality would remain significant and unavoidable as a result of the project analyzed in that document. This Draft SEIR also concludes that, with mitigation, air quality impacts would be significant and unavoidable. Compliance with all recommended mitigation outlined in MM AQ-1 will not reduce air quality impacts to a level of less than significant. Therefore, pursuant to State CEQA Guidelines Section 15162, as part of the Project, no new or more severe air quality impacts would result that were not already disclosed in the 1998 EIR.

Mitigation Measures

MM AQ-1. Recommended Air Quality Mitigation for Future Development

The following general mitigation measures are recommended for all future development within the project area.

1. Comply with all SJVAPCD Constructions rules and regulations aimed at curbing fugitive dust and emissions from construction equipment. Construction mitigation measures that could be required of future development within the project area include:
 - a. Structural Demolition
 - i. Water the following areas for the duration of the demolition activities:
 1. building exterior surfaces,
 2. unpaved surface areas where equipment will operate,
 3. razed building materials, and
 4. unpaved surface areas within 100 feet of structure during demolition.
 - b. Pre-Activity
 - i. Pre-water the work site and phase work to reduce the amount of disturbed surface area at any one time, and
 - ii. Phase work to reduce the amount of disturbed surface area at any one time.
 - c. Active Operations
 - i. Effectively control fugitive dust emissions from all land clearing, grubbing, scraping, excavation, leveling, grading, cut-and-fill, and demolition activities by applying water or presoaking;
 - ii. Construct and maintain wind barriers, and apply water or dust suppressants to the disturbed surface areas;

- iii. Apply water or dust suppressants to unpaved haul/access roads and unpaved vehicle/equipment traffic areas;
 - iv. Limit or expeditiously remove the accumulation of mud or dirt from adjacent public roads at least once every 24 hours during all operations. (The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit visible dust. The use of blower devices is also expressly forbidden.);
 - v. Operate construction equipment no longer than 8 cumulative hours per day; and
 - vi. Ensure off-road engines comply with Tier II or above engine standards.
- d. Inactive Operations, Including After Hours, Weekends, and Holidays
- i. Effectively stabilize all disturbed areas, including storage piles that are not being actively used for construction purposes, of dust emissions using water, chemical stabilizer/suppressant, or vegetative ground cover;
 - ii. Apply water or dust suppressants on disturbed surface areas to form a visible crust;
 - iii. Restrict vehicle access to maintain the visible crust; and
 - iv. Shut down equipment when not in use for extended periods of time, and minimize idling time (i.e., 15-minute maximum).
- e. Temporary Stabilization of Areas that Remain Unused for 7 or More Days
- i. Restrict vehicular access, and apply and maintain water or dust suppressants at all unvegetated areas;
 - ii. Establish vegetation on all previously disturbed areas;
 - iii. Apply gravel, and maintain at all previously disturbed areas; and
 - iv. Pave previously disturbed areas.
- f. Unpaved Access and Haul Roads, Traffic, and Equipment Storage Areas
- i. Effectively stabilize all on-site unpaved roads and off-site unpaved access roads of dust emissions using water or chemical stabilizer/suppressant;
 - ii. Post speed limit signs of not more than 15 miles per hour at each entrance and again every 500 feet;
 - iii. Apply water or dust suppressants to vehicle traffic and equipment storage areas; and
 - iv. Install sandbags or other erosion-control measures to prevent silt runoff to public roadways from sites with a slope greater than 1%.
- g. Wind Events
- i. Apply water to control fugitive dust during wind events, unless unsafe to do so; and
 - ii. Cease outdoor construction activities that disturb the soil whenever visible dust emissions cannot be effectively controlled.

h. Outdoor Handling of Bulk Materials

- i. Apply water or dust suppressants when handling bulk materials, and
- ii. Install and maintain wind barriers with less than 50% porosity, and apply water or dust suppressants.

i. Outdoor Storage of Bulk Materials

- i. Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, effectively stabilize said piles of fugitive dust emissions using a sufficient amount of water or chemical stabilizer/suppressant;
- ii. Cover storage piles with tarps, plastic, or other suitable material and anchor in such a manner that prevents the cover from being removed by wind action;
- iii. Install and maintain wind barriers with less than 50% porosity around the storage piles, and apply water or dust suppressants; and
- iv. Use a three-sided structure (< 50% porosity) that is at least as high as the storage piles.

j. On-site Transporting of Bulk Materials

- i. Limit vehicle speed on the work site;
- ii. Load all haul trucks such that the freeboard is not less than 6 inches when transported across any paved public-access road;
- iii. Apply a sufficient amount of water to the top of the load to limit visible dust emissions; and
- iv. Cover haul trucks with a tarp or other suitable cover.

k. Off-site Transporting of Bulk Materials

- i. Clean or cover the interior of emptied truck cargo compartments before leaving the site;
- ii. Prevent spillage or loss of bulk materials from holes or other openings in the cargo compartment's floor, sides, or tailgate;
- iii. Cover haul trucks with a tarp or other suitable cover or load them such that the freeboard is not less than 6 inches when transported on any paved public-access road to or from the project site, and apply a sufficient amount of water to the top of the load to limit visible dust; and
- iv. Install sandbags or other erosion-control measures to prevent silt runoff onto public roadways from sites with a slope greater than 1%.

l. Outdoor Transport Using a Chute or Conveyor

- i. Fully enclose chute or conveyor,
- ii. Use water spray equipment to sufficiently wet the materials, and
- iii. Wash or screen transported materials to remove fines (PM10 or smaller).

m. Valley Fever Mitigation

- i. All disturbed areas, including storage piles that are not being actively used for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, or vegetative ground cover;
 - ii. Crews shall be required to use respirators during project clearing, grading, and excavation operations in accordance with California Division of Occupational Safety and Health regulations;
 - iii. Construction roads shall be paved or treated with environmentally safe dust-control agents;
 - iv. Where acceptable to the fire department, weed growth shall be controlled by mowing instead of discing, thereby leaving the ground undisturbed and with a mulch covering;
 - v. During rough grading and construction, the access way into the project site from adjoining paved roadways shall be paved or treated with environmentally safe dust-control agents; and
 - vi. Existing residents located near later phases of construction shall be notified prior to soil-disturbing activities and advised regarding reducing their exposure to dust potentially containing valley fever fungus through methods such as limiting outdoor activities, keeping windows closed, or frequently cleaning or replacing air intake filters for air-conditioning systems.
2. Comply with all current review and permitting procedures developed by the SJVAPCD for stationary and area-source emissions, including Rule 9510. Compliance with Rule 9510 shall be demonstrated before issuance of the first grading and/or building permits for a project.
 3. Comply with all current and future SJVAPCD rules and regulations, including, Regulation VIII, Rule 2010, Rule 2201, Rule 4002, Rule 4102, Rule 4601, and Rule 4641.
 4. Individual projects may exercise the option of entering into a VERA with the SJVAPCD to reduce emissions to less than significant.
 5. Design projects in conformity with the RTP and Sustainable Communities Strategy, when adopted and to the extent applicable.
 6. Mitigation measures aimed at curbing emissions from long-term operations are measures that would be consistent with land use strategies outlined in the general plan and general plan updates. Such measures would encourage alternative transportation. These measures would reduce automobile usage and emissions during operation of the Project. Proposed policies of the air quality update (City of Fresno 2009) to promote emissions reductions through planning include the following:
 - a. Incorporate multi-use activity centers and high-intensity transportation corridor concepts;
 - b. Implement the City's Urban Growth Management Program;

- c. Promote infill and appropriately intensified development within the center city and other appropriate locations near transportation routes;
- d. Implement mixed-use development guidelines to provide more pedestrian-oriented neighborhoods;
- e. Require subdivisions and other residential development designs that facilitate pedestrian access to bus stops and other transportation routes;
- f. Maintain and improve transit-related requirements for development, including on-site bus parking;
- g. Expand programs to reduce VMT, stop-and-go traffic, and congestion through various strategies, such as optimized signal timing, interconnected signals, computer-based controls, and traffic-actuated signals;
- h. Aid in completing the City's network of alternative bicycle and pedestrian transportation routes;
- i. Provide for the installation and maintenance of landscaping that promotes good air quality;
- j. Support employer programs for staggered work hours, telecommuting, and worker incentives (i.e., to use carpools and/or public transit);
- k. Continue efforts to improve the technical performance, emission levels, and system operations of the Fresno Area Express bus;
- l. Evaluate and pursue long-range transportation measures such as express bus, light rail, and mass transit corridors; HOV lanes; and City acquisition of land for bus turning and parking; and
- m. Install bike lanes, paths, and trails.

Level of Significance after Mitigation

Impacts would be significant and unavoidable.

Although incorporation of the aforementioned measures and full compliance with all SJVAPCD rules and regulations will certainly temper air quality impacts resulting from full buildout of the project area, these impacts will not be reduced to a less-than-significant level. The region is in violation of the federal ozone standard as well as PM2.5 standards, and even small emissions from development that occurs as a result of the Project could exacerbate these violations.

Impact AQ-2. The Project would result in a cumulatively considerable net increase in a criteria pollutant for which the project region is in nonattainment under an applicable federal or state ambient air quality standard.

Air quality impacts were determined to be significant and unavoidable in the 1998 EIR. The Project would not result in additional growth, population, or VMT beyond levels disclosed in the 1998 EIR. However, the attainment status for various air quality standards has changed since the 1998 EIR and, consequently, so has the relative definition of “cumulatively considerable increase of a pollutant” given the new severity of the air quality violations.

The State CEQA Guidelines define “cumulative impact” as “two or more individual effects that, when considered together, are considerable or compound or increase other environmental impacts” (State CEQA Guidelines Section 15355) (California Code of Regulations 2009). According to SJVAPCD’s GAMAQI, “any proposed project that would individually have a significant air quality impact . . . would also be considered to have a significant cumulative air quality impact. Impacts of local pollutants (e.g., CO and TACs) are cumulatively significant when modeling shows that the combined emissions from the project and other existing and planned projects will exceed air quality standards.” If a project-related air quality impact is individually less than significant, cumulative impacts may nevertheless be significant based on an analysis of reasonably anticipated future and past projects with similar air quality impacts, transport considerations, and geographic locations.

The SJVAB is currently in nonattainment status for ozone, PM_{2.5}, and PM₁₀ according to the CAAQS. The region is currently in nonattainment for ozone and PM_{2.5} according to the NAAQS. Construction- and operations-related emissions from the Project could result in a cumulatively considerable net increase. In accordance with the GAMAQI, the cumulative impacts below have been analyzed.

- **Cumulative Ozone Impacts.** Ozone impacts result from cumulative emissions from numerous sources in the region and transport from outside the region. Ozone is produced in chemical reactions involving ROG_s, NO_x, and sunlight.
- **Cumulative PM₁₀ and PM_{2.5} Impacts.** PM₁₀ and PM_{2.5} have the potential to cause significant problems locally during dry periods that are accompanied by high winds and during periods with major earth-disturbing activities. PM₁₀ and PM_{2.5} may have cumulative local impacts if, for example, several unrelated grading or earthmoving projects are under way simultaneously at nearby sites.

At the time of certification of the 1998 EIR, the region was in nonattainment status for ozone and PM₁₀. Emissions associated with exhaust from construction equipment, fugitive dust, energy consumption (e.g., emissions associated with natural gas), and mobile sources could exacerbate poor air conditions in the

region. The significance of this impact was disclosed in the 1998 EIR. Since 1998, the region has achieved maintenance status for PM10 but has been reclassified as an extreme nonattainment area for ozone. Additionally, the region is in nonattainment for PM2.5, which was not the case in 1998 (regulations had not been adopted at that time). Reclassification to extreme nonattainment by EPA has several implications for the region, which were discussed above. The most important pertains to an extension of the time by which the region can achieve the standard (2024).

Air quality impacts were determined to be significant and unavoidable in the 1998 EIR. The 1998 EIR acknowledges that “[c]umulative effects related to the buildout of the redevelopment area would be significant” (Redevelopment Agency of the City of Fresno 1998). Because thresholds and standards have become more stringent since certification of the 1998 EIR and the region has been designated an extreme nonattainment area for ozone, the Project may result in new and more severe impacts, resulting in a cumulatively considerable net increase in a criteria pollutant for which the region is in nonattainment status with respect to an applicable federal or state ambient air quality standard.

Compliance with all recommended mitigation outlined in MM AQ-1 would not reduce air quality impacts to a level of less than significant. Impacts would still be significant and unavoidable.

The 1998 EIR concluded that, with mitigation, impacts on air quality would remain significant and unavoidable as a result of the project analyzed in that document. This Draft SEIR also concludes that, with mitigation, air quality impacts would be cumulatively considerable and, therefore, significant and unavoidable. Therefore, pursuant to State CEQA Guidelines Section 15162, as part of the Project, no new or more severe air quality impacts would result that were not already disclosed in the 1998 EIR.

Mitigation Measures

MM AQ-2. Recommended Cumulative Air Quality Mitigation for Future Development

- Implement MM AQ-1 to the extent applicable.
- Conform with the 2007 Ozone Plan, 2007 PM10 Plan, and 2008 PM 2.5 Plan to the extent they are applicable.
- Design projects in conformity with the RTP and Sustainable Communities Strategy, when adopted and to the extent they are applicable.

Level of Significance after Mitigation

Impacts would be significant and unavoidable.

Cumulative Impacts

Although incorporation of MM AQ-1 and MM AQ-2 and full compliance with all SJVAPCD rules and regulations will certainly temper air quality impacts that result from full buildout of the project area, these air quality impacts will not be reduced to a less-than-significant level. The region is in violation of the federal ozone standard as well as PM2.5 standards, and even small emissions from future development that occurs as a result of the Project could exacerbate these violations. Therefore, cumulative air quality impacts are significant and unavoidable.

The 1998 EIR concluded that cumulative air quality impacts would be significant and unavoidable for reasons similar to those stated in this Draft SEIR. Therefore, pursuant to State CEQA Guidelines Section 15162, as part of the Project, a new or more severe cumulative air quality impact would not result that was not already disclosed in the 1998 EIR.

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Section 3B
Cultural Resources

Section 3B

Cultural Resources

Introduction

This section provides a description of the cultural resources setting of the project area, the regulatory context of the Project, and the potential impacts on cultural resources caused by the Project. The setting and analysis provided in this section are based on the 1998 EIR but supplemented according to existing conditions.

The IS (see Appendix B) determined that, in the context of the impacts identified in the 1998 EIR, the Project would not result in a new or more severe impact that would

- directly or indirectly affect or damage any unique prehistoric archaeological resources;
- directly or indirectly destroy any unique paleontological resources or sites or unique geologic features; or
- disturb any human remains, including those interred outside of formal cemeteries.

Comments on the NOP (Appendix D) included concerns pertaining to cultural resources. Responses to applicable comments can be found in Chapter 3, Environmental Analysis, Response to NOP Comments. Therefore, these issues are not addressed further in this section. This section focuses on new information (i.e., information gathered since the 1998 EIR) that indicates that there may be a new significant effect on cultural resources that was not disclosed in the 1998 EIR.

Environmental Setting

The following environmental setting for cultural resources includes the historic archaeological and historic context of the project area.

Historic Archaeological Context

The 1998 EIR determined that the project area does not contain any known archaeological resources (Redevelopment Agency of the City of Fresno 1998). However, the 1998 EIR concluded that “given the settlement and development history of the downtown area, the potential for encountering buried resources [is] considered to be high” (Redevelopment Agency of the City of Fresno 1998).

The 1998 EIR concluded that the “general area south of Ventura, east of Elm Avenue, along the State Route 99 corridor, was part of the Volga German community of West Fresno” (Redevelopment Agency of the City of Fresno 1998). Also known as the Germantown area, this area, which is found within the project area, may also contain previously unknown cultural resources. *Germantown, Fresno Historic Context*, prepared by Architectural Resources Group (2006), documents the history of the Volga Germans who first settled in Fresno in 1887. The following passage is from the introduction:

Germantown is composed primarily of one-story bungalows and large religious structures dating from the late nineteenth century through the mid-twentieth century. The bulk of construction in Germantown occurred between the late 1800s, when the construction of Fresno’s West Side commenced, to the 1930s when the number of buildings constructed diminished due to the Great Depression and other economic pressures. Few structures from the nineteenth century remain. Over the years the character of Germantown has been greatly affected by the demolition and alteration of buildings and the construction of freeways.

There may be historic archaeological resources associated with the buildings that were demolished and the activities that once surrounded them.

Historic Context

The following discussion of existing conditions briefly describes the previous historic surveys that were performed in the project area and lists the potential historic districts that were recommended for nomination by these surveys, if any.

Existing Conditions

Survey Study Area

The project area contains historic structures that are listed in the City’s Local Register of Historic Resources (Local Register) or that may be eligible for the California Register of Historical Resources (California Register or CRHR) and/or the National Register of Historic Places (National Register or NRHP) (Redevelopment Agency of the City of Fresno 1998). There are also likely

additional historical resources that are not listed in the 1998 EIR that are eligible for listing as historic resources. The City of Fresno's entire Local Register is posted at www.historicfresno.org.

No portion of the project area has been called out as an official or "potential" historic district in prior City plans, environmental documents, and/or surveys (Historicfresno.org 2009).

Previous Historic Surveys

The 1998 EIR provided lists of historic buildings within the project area (Redevelopment Agency of the City of Fresno 1998, Table 3.15-1). The lists were obtained from national, state, and local designation inventories and the results of the 1976 Patnaude Survey within the project area. The Patnaude Survey was an important early survey of the downtown Fresno area that served as the initial database to establish the Local Register (Redevelopment Agency of the City of Fresno 1998).

The Bungalow Court Survey (2004)

The Bungalow Court Survey was prepared in September 2004 by City staff and consultants Dana Supernowicz and Jon Brady, with partial funding from the Office of Historic Preservation (City of Fresno 2004). A reconnaissance survey was first conducted for 128 bungalow courts. Thirteen of the oldest and/or most architecturally significant of the 128 courts were then documented by the consultants on state survey forms. The survey evaluated individual courts for listing in the Local Register and suggested that a thematic historic district encompassing many of the courts could be developed. The Bungalow Court Survey identified no bungalow courts in the project area that would be eligible for the National Register, State Register, or Local Register.

Germantown, Fresno Historic Context (2006)

The Germantown, Fresno Historic Context was prepared by Architectural Resources Group (2006). The report documents the history of the Volga Germans who first settled in Fresno in 1887 as well as a field survey of the former Germantown neighborhood. Germantown encompasses the blocks bounded by Church Street, Mono Street, G Street, and Fruit Street. As a result of the preliminary field survey and research conducted, a framework has been established for an intensive building-by-building survey in the future. No findings were presented in the report.

Mid-Century Modernism Historic Context (2008)

The Mid-Century Modernism Historic Context includes information and interviews with leading architects and designers who worked in Fresno from 1940 to 1970 (Planning Resource Associates 2008). In addition to the context, a reconnaissance-level survey of mid-century properties was performed. As a result of the survey, the consultant found that all buildings previously listed in the Local Register retained their significance. Of the buildings previously found significant but not formally listed, two were found to be eligible for local listing, and one building is eligible for the California Register.

Environment Setting

Regulatory Setting

Cultural resources fall within the jurisdiction of several levels of government. Federal laws provide the framework for the identification and, in certain instances, the protection of historic resources. Additionally, states and local jurisdictions play active roles in the identification, documentation, and protection of such resources within their communities.

Numerous laws and regulations require federal, state, and local agencies to consider the effects of a proposed project on cultural resources. These laws and regulations stipulate a process for compliance, define the responsibilities of the various agencies proposing the action, and prescribe the relationship among other involved agencies (e.g., the State Historic Preservation Office and the Advisory Council on Historic Preservation). The National Historic Preservation Act (NHPA) of 1966, as amended; CEQA; the California Register; PRC Section 5024; and the City of Fresno preservation ordinance and general plan policies are the primary laws and regulations governing and affecting preservation of historic resources of national, state, regional, and/or local significance. A description of these laws and regulations is provided below.

Federal

National Register of Historic Places

First authorized by the Historic Sites Act of 1935, the National Register was established by NHPA as “an authoritative guide to be used by federal, state, and local governments, private groups and citizens to identify the nation’s cultural resources and to indicate what properties should be considered for protection from destruction or impairment.” The National Register recognizes properties that are significant at the national, state, and local levels.

To be eligible for listing in the National Register, a resource must be significant in American history, architecture, archaeology, engineering, or culture. Districts, sites, buildings, structures, and objects of potential significance must also possess integrity of location, design, setting, materials, workmanship, feeling, and association. Four criteria have been established to determine the significance of a resource:

- it is associated with events that have made a significant contribution to the broad patterns of our history;
- it is associated with the lives of persons significant in our past;
- it embodies the distinctive characteristics of a type, period, or method of construction or represents the work of a master or possesses high artistic values or represents a significant and distinguishable entity whose components may lack individual distinction; or
- it yields, or may be likely to yield, information important in prehistory or history.

For a property to be eligible for the National Register, it must meet one or more of the above criteria. In addition, unless the property possesses exceptional significance, it must be at least 50 years old to be eligible for National Register listing.

State

OHP, as an office of the California Department of Parks and Recreation, implements the policies of the NHPA on a statewide level through its statewide comprehensive resource surveys and preservation programs. OHP also maintains the California Historical Resource Inventory and oversees the California Register (discussed below). The State Historic Preservation Officer (SHPO) is an appointed official who implements historic preservation programs within the state's jurisdiction.

California Environmental Quality Act

The Project is subject to CEQA. In accordance with PRC Section 21084.1, a project would have a significant adverse environmental impact if it causes a substantial or potentially substantial adverse change in the significance of a historical resource. According to CEQA (PRC Section 21084.1), historical resources include any resource listed, or determined eligible for listing, in the CRHR. Properties listed, or determined eligible for listing, in the NRHP, such as those identified in the Section 106 process, are automatically listed in the CRHR. Therefore, all "historic properties" under federal preservation law are automatically "historical resources" under state preservation law. Historical resources are also presumed to be significant if they are included in a local register of historical resources or identified as significant in a qualified historical resource survey.

As defined under Title 14, CCR Section 4850, the term “historical resource” means

Any object, building, structure, site, area, place, record, or manuscript that is historically or archaeologically significant or that is significant to the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural history of California.

For the purposes of CEQA, historical resource is further defined under State CEQA Guidelines Section 15064.5 as a “resource listed in, or determined eligible for listing in, the California Register.”

Section 15064.5 of the State CEQA Guidelines sets forth the criteria and procedures for determining significant historical resources and the potential effects of a project on such resources. Generally, a cultural resource is considered by the lead state agency to be historically significant if the resource meets any of the following criteria for listing in the CRHR:

- the resource is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage;
- the resource is associated with the lives of persons important in our past;
- the resource embodies the distinctive characteristics of a type, period, region, or method of construction or represents the work of an important creative individual or possesses high artistic values; or
- the resource has yielded, or may be likely to yield, information important in prehistory or history.

The cited statutes and guidelines specify how cultural resources are to be managed in the context of future development such as the Project. Briefly, archival and field surveys must be conducted, and identified cultural resources must be inventoried and evaluated in prescribed ways. Prehistoric and historical resources deemed historically significant must be considered in project planning and development.

California Register of Historical Resources

Created by Assembly Bill 2881, which was signed into law on September 27, 1992, the California Register is “an authoritative listing and guide to be used by state and local agencies, private groups, and citizens in identifying the existing historical resources of the state and indicating which resources deserve to be protected, to the extent prudent and feasible, from substantial adverse change.” The criteria for eligibility for the California Register are based on National Register criteria. Certain resources are determined by statute to be automatically included in the California Register, including California properties formally determined eligible for, or listed in, the National Register.

The California Register consists of resources that are listed automatically and those that must be nominated through an application and public hearing process. The California Register automatically includes the following:

- California properties listed in the National Register and those formally determined eligible for the National Register,
- California Register Historical Landmarks from No. 770 onward, or
- those California Points of Historical Interest that have been evaluated by OHP and have been recommended to the State Historical Commission for inclusion in the California Register.

Other resources that may be nominated to the California Register include

- individual historical resources;
- historical resources contributing to historic districts;
- historical resources identified as significant in historical resources surveys, with significance ratings of Category 1 through 5; or
- historical resources designated or listed as local landmarks or designated under any local ordinance, such as a historic preservation overlay zone.

California Public Resources Code 5024.1(g)

The requirements of PRC Section 5024.1(g), referenced in the State CEQA Guidelines, are as follows:

A resource identified as significant in a historical resource survey may be listed in the California Register if the survey meets all of the following criteria:

- The survey has been or will be included in the State Historic Resources Inventory,
- The survey and the survey documentation were prepared in accordance with office procedures and requirements,
- The resource is evaluated and determined by the office [of Historic Preservation] to have a significance rating of Category 1 to 5 on DPR Form 523, and
- If the survey is 5 or more years old at the time of its nomination for inclusion in the California Register, the survey is updated to identify historical resources that have become eligible or ineligible because of changed circumstances or further documentation and those that have been demolished or altered in a manner that substantially diminishes the significance of the resource.

Local

City of Fresno

City policies for identifying, evaluating, and protecting historical resources are found in the general plan (Resources Conservation Element) and within the City of Fresno Historic Preservation Ordinance (Fresno Municipal Code, Article 16, Chapter 12). In addition, several specific plans address historical resources. The general plan sets forth the City's policies and objectives regarding historical resources. In general, the City seeks to foster community pride, attract visitors and tourists to distinctive areas, provide recreational opportunities, enhance educational opportunities, and augment the body of scientific and historic knowledge through identification, appropriate recognition, and promotion of historic and cultural resources (Historic Resources, Section G-10).

The City's Historic Preservation Ordinance establishes a Historic Preservation Commission (HPC) and the Local Register. Adopted in 1979, the ordinance defines a historic resource as any building, structure, object, or site that is at least 50 years of age, possesses integrity, and is associated with significant events, individuals, or patterns of history. Before any building or structure is designated a historic resource it has to be "designated as such by the council pursuant to the provisions of the Historic Preservation Ordinance" (Fresno Municipal Code 12-1603[o]).

The City of Fresno is also a Certified Local Government (CLG) under an agreement with the State of California. This agreement allows the City to conduct environmental reviews mandated under CEQA and the NHPA, which would normally be conducted at the state level. As a CLG, the City has numerous obligations, including review of the performance of historic surveys according to state standards.

All future development involving any local historic resource must be considered and commented on by the HPC, and these comments are to be considered by the city council for approval of future development. The Historic Preservation Ordinance explicitly vests the city council with the "sole authority" to approve projects that affect historic resources, as defined by the Historic Preservation Ordinance, through the appeal process (Historic Preservation Ordinance, Section 12-1620). The Historic Preservation Ordinance also explicitly states that the sole authority to "declare historic resources or historic districts and to endorse local historic districts to the National Register of Historic Places shall be vested in the council and shall be exercised only after completion of the commission's responsibilities under the designation process set forth" (Historic Preservation Ordinance, Section 12-1620).

Impacts and Mitigation

Methodology

Impacts on cultural resources from the Project and alternatives were evaluated by determining whether demolition, adverse changes, relocation, or ground disturbance activities would adversely affect 1) areas that contain or could contain historic archaeological resources, 2) historic properties listed in or eligible for listing in the NRHP or CRHR, or 3) a historic property that is designated a local landmark, or eligible for designation, or included in a City-designated or potentially eligible historic district.

According to State CEQA Guidelines Section 15064.5, a project with an effect that may cause a substantial adverse change in the significance of a historic resource is a project that may have a significant effect on the environment (14 CCR 15064.5[b]). CEQA further states that a substantial change in the significance of a resource means the physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of the historic resource would be materially impaired. Actions that would materially impair the significance of a historic resource are any actions that would demolish or adversely alter those physical characteristics that convey its historic significance and qualify it for inclusion in the CRHR, Local Register, or a survey that meets the requirements of PRC Sections 5020.1(k) and 5024.1(g).

Criteria for Determining Significance

As stated in the 1998 EIR, “effects related to cultural resources would be considered to be potentially significant if the project would alter or destroy a prehistoric or historic archaeological site so that the ability to extract important information from the site is compromised or the project adversely affects the criteria under which a site or building is eligible for listing in the City’s official Local Register or ethnic cultural values or religious or sacred uses are adversely affected.”

The State CEQA Guidelines state that a project involves a “substantial adverse change” when one or more of the following occurs:

- Physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of the historical resource would be materially impaired;

- The significance of the historical resource is materially impaired if a project
 - ❑ demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and justify its inclusion in, or eligibility for inclusion in, the California Register; or
 - ❑ demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a Local Register pursuant to PRC Section 5020.1(k) or its identification in a historical resources survey meeting the requirements of PRC Section 5024.1(g) unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not historically or culturally significant; or
 - ❑ demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and justify its eligibility for inclusion in the California Register as determined by a lead agency for purposes of CEQA.

The Secretary of the Interior's Standards for Rehabilitation (Standards) are codified at 36 Code of Federal Regulations (CFR) Section 67.7. The Standards are designed to ensure that rehabilitation does not impair the significance of a historic property. In most circumstances, the Standards are relevant in assessing whether there is a substantial adverse change under CEQA. Section 15064.5b(3) of the State CEQA Guidelines states in part that "...a project that follows the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings or the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings...shall be considered as mitigated to a level of less than a significant impact on the historic resource."

Project Impacts

Impact CR-1. The Project would cause a significant adverse change in the significance of a historical resource as defined in Section 15064.5.

As stated in the 1998 EIR, "Development in the [project area] has the potential to adversely affect historic buildings in two manners. Direct effects to historic buildings would occur through site acquisition and clearance. Projects that are neighboring to a historic resource may cause indirect effects related to differences in scale, bulk and mass, architectural style, and color. Development projects may also cause a loss of continuity or association of the historic resource with its surroundings."

Although it is not known which specific historically significant buildings, if any, may be directly affected by future development, the buildings considered to be at greatest risk are those that have the following characteristics:

- are underutilized or are vacant;
- have multiple code violations and/or structural deficiencies;
- are in a declining state of repair;
- have high costs associated with rehabilitation, such as asbestos removal;
- are considered to be economically or physically obsolete compared with contemporary criteria;
- are designed and used for a different purpose than what is proposed by an applicant; or
- are non-conforming with regard to general plan policies or zoning codes.

The 1998 EIR concluded that, with mitigation, impacts on historic resources would be significant and unavoidable as a result of the Project. This Draft SEIR also concludes that, with mitigation, cultural resources impacts would be significant and unavoidable. As required under CEQA, this Draft SEIR includes new mitigation measures that are feasible and will reduce but not avoid the significant effects.

Mitigation Measures

State CEQA Guidelines Section 15168(c)(3) states that “an agency shall incorporate feasible mitigation measures and alternatives developed in the Program EIR into subsequent actions in the program.” In the present case, the Program EIR is the 1998 EIR, and the subsequent action is the Project. The discussion below lists the mitigation measures from the 1998 EIR as well as augmentation to those measures to improve their effectiveness in light of new information.

The 1998 EIR included mitigation measure 3.15-4, which states, in part, that “the City shall conduct a Historic Building Survey of the Merger II Project Area.” This survey was to commence by no later than January 1, 2000, but mitigation measure 3.15-4 has not, to date, been implemented. Note that the following new mitigation measure (MM CR-1) would replace this commencement date with a new date for the survey of the project area. The mitigation measures adopted as part of this Draft SEIR, therefore, augment the original mitigation measures described in the 1998 EIR.

Please note that text that has been *italicized* is language taken directly from the existing 1998 EIR mitigation measures. To allow easy comparison between the original 1998 EIR mitigation and the augmentation contained in the SEIR, 1998 EIR MM 3.15-1, MM 3.15-2, and MM 3.15-4, are described below.

1998 EIR MM 3.15-1: Should buried archaeological resources be discovered during the course of construction, those activities that would adversely affect the resource shall cease and the City of Fresno Development Department shall be notified. The developer shall consult with a qualified archeologist and the Archaeological Inventory to determine the significance of the find and feasible mitigation measures. The Fresno County Coroner shall be contacted. The Native American Heritage Commission shall be immediately contacted if the remains are suspected to be Native American in origin.

1998 EIR MM 3.15-2: Should a project have the potential to cause the demolition of a listed historic structure or adversely affect the criteria under which the structure was eligible for listing, prior to project approval the City shall demonstrate that it has reasonably explored and considered alternatives to the project including the rehabilitation and adaptive reuse of the affected structure, or relocation of the structure.

1998 EIR MM 3.15-4: The City shall conduct a Historic Building Survey of the Merger II Project Area. Said Survey shall commence no later than January 1, 2000. The City shall consider and implement the recommendations of the Survey to the extent feasible.

In the interim, the City shall evaluate projects in the Merger II Project Area as follows:

- a. Each structure on a proposed development site shall be evaluated to determine if it is 50 years or more in age.*
- b. Should a structure meet the age criteria, it shall be evaluated to determine its eligibility for listing in the City's Official Local List of Historic Places.*
- c. Should a structure be determined to be eligible for listing on the City's Official List, the procedures under Mitigation Measure 3.15-2 shall apply.*
- d. Notices and Order issued for violations of the Housing Code, Dangerous Building Ordinance, and Exterior Building Maintenance Ordinance, as related to 50 years of age and older, shall be made available to the Historic Preservation Commission for their recommendation on surveying, assessing, and preserving potential historic resources.*

MM CR-1 and MM CR-2 of the SEIR augment the 1998 EIR mitigation measures described above. The original 1998 EIR text is italicized and its source is noted in brackets (i.e., [1998 EIR MM 3.15-5]). The new text is not italicized.

MM CR-1. Conduct Historic Building Surveys and Archaeological Surveys of the Project Area

The City shall conduct a Historic Building Survey of the Merger II Project Area [1998 EIR MM 3.15-5]. The City shall conduct a historic building survey of all pre-1965 resources and an archaeological survey of the project area (Project Area Survey). The Project Area Survey shall be conducted in accordance with California OHP standards for intensive-level surveys (see Table 3B-1) and

National Register Bulletin 24, Guidelines for Local Surveys: A Basis for Preservation Planning. All related studies will be carried out by or under the direct supervision of individuals who meet the Secretary of the Interior's Professional Qualifications Standards (36 CFR Part 61, Table 2) and will be consistent with City of Fresno, as a certified local government, Planning and Development Department protocols for the relevant field of study in the appropriate discipline (history, archaeology, or architectural history) (see Table 3B-2). Such work shall be coordinated and reviewed by City of Fresno historic preservation staff and the City of Fresno HPC.

Survey Criteria

The Project Area Survey shall evaluate resources by applying the following national, state, and local criteria:

- National Register of Historic Places Criteria for Evaluation (36 CFR Section 60.4);
- California Register of Historical Resources Criteria for Evaluation (14 CCR Section 4852.); and
- City of Fresno Historic Resources Designation Criteria (FMC 13-406).

Research Design

Before the first survey is completed, a research design shall be developed by the City and submitted to City historic preservation staff and the HPC for review and comment. According to OHP (Table 3B-1, Item 3), the research design examines current knowledge of a relevant historic context or contexts, defines resource types associated with that context, and establishes expectations regarding survey results (e.g., where resources will be found, how many of each type, etc.). The research design may simply refer to a previously published design if it is applicable and reasonably current. The City shall ensure that HPC's comments are incorporated into the research design and that the relevant historic context(s), resource types, and registration requirements are developed accordingly.

Table 3B-1. OHP Standards for Intensive-Level Surveys

Information regarding how to conduct and report survey activities can be found in <i>National Register Bulletin 24</i> (National Park Service 1985), the <i>Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation</i> (National Park Service 1983), and the <i>California Historic Resources Survey Workbook</i> (Office of Historic Preservation 1986). Appendix 6 (in relevant part below) summarizes the fundamental topics that the Secretary of the Interior recommends covering in reports describing reconnaissance and intensive surveys, while more detailed suggestions are offered in <i>Archaeological Resource Management Reports (ARMR): Recommended Contents and Format</i> (Office of Historic Preservation 1989): A reconnaissance survey entails a systematic effort to identify and summarize information about historical resources in a given area. Reports documenting reconnaissance surveys should provide thorough documentation of objectives and expectations of the survey, the methods used to discover resources, and the adequacy of such efforts. While reconnaissance surveys may employ widely different strategies, the reports prepared to document them should minimally contain the following kinds of information: 1. A clear statement of the purpose of the survey; 2. A definition of the survey area (with map of areas examined); 3. A research design that examines current knowledge of a relevant historic context or contexts, defines resource types associated with that context, and establishes expectations regarding survey results (e.g., where resources will be found, how many of each type, etc.). The research design may simply refer to a previously published one if it is applicable and reasonably current; 4. A definition of the methods that were used during the survey. If a variety of methods are used, the area covered by each method should be separately depicted on the survey coverage map listed in Item 2 (above); 5. A summary of the results of the survey including a map depicting resource locations, analysis of findings relative to the study's research design, discussion of any limitations of the survey, and individual records for all identified heritage resources. Intensive surveys go beyond the systematic identification and description of historical resources to encompass the evaluation of those properties within a historic context. Thus, in addition to the five categories of information needed for a reconnaissance survey, the report documenting an intensive survey should also contain: 6. An evaluation of heritage resources identified during the survey as determined within a historic context using the National Register criteria (or CEQA criteria if appropriate). 7. Evidence that evaluation was conducted and confirmed by an appropriately qualified professional. Source: Office of Historic Preservation 1995.

Table 3B-2. Professional Qualifications Standards

The following requirements are those used by the National Park Service and have been previously published in 36 CFR Part 61. The qualifications define minimum education and experience required to perform identification, evaluation, registration, and treatment activities. In some cases, additional areas or levels of expertise may be needed, depending on the complexity of the task and the nature of the historic properties involved. In the following definitions, a year of full-time professional experience need not consist of a continuous year of full-time work but may be made up of discontinuous periods of full-time or part-time work adding up to the equivalent of a year of full-time experience.

History

The minimum professional qualifications in history are a graduate degree in history or closely related field or a bachelor's degree in history or closely related field plus one of the following:

1. At least 2 years of full-time experience in research, writing, teaching, interpretation, or other demonstrable professional activity with an academic institution, historic organization, or agency, museum, or other professional institution; or
2. Substantial contribution through research and publication to the body of scholarly knowledge in the field of history.

Archaeology (including historic archaeology)

The minimum professional qualifications in archeology are a graduate degree in archeology, anthropology, or closely related field plus:

1. At least 1 year of full-time professional experience or equivalent specialized training in archeological research, administration, or management;
2. At least 4 months of supervised field and analytic experience in general North American archeology, and
3. Demonstrated ability to carry research to completion.

In addition to these minimum qualifications, a professional in prehistoric archeology shall have at least 1 year of full-time professional experience at a supervisory level in the study of archeological resources of the prehistoric period. A professional in historic archeology shall have at least 1 year of full-time professional experience at a supervisory level in the study of archeological resources of the historic period.

Architectural History

The minimum professional qualifications in architectural history are a graduate degree in architectural history, art history, historic preservation, or closely related field, with coursework in American architectural history, or a bachelor's degree in architectural history, art history, historic preservation, or a closely related field plus one of the following:

1. At least 2 years of full-time experience in research, writing, or teaching in American architectural history or restoration architecture with an academic institution, historical organization or agency, museum, or other professional institution; or
2. Substantial contribution through research and publication to the body of scholarly knowledge in the field of American architectural history.

Source: Secretary of the Interior's Professional Qualifications Standards (as amended and annotated) (36 CFR Part 61).

Survey Report and HPC Review

The City shall consider and implement the recommendations of the survey to the extent feasible [1998 EIR MM 3.15-5]. The City shall provide a draft Project Area Survey report to historic preservation staff and the HPC for review and comment. Comments shall address the adequacy of the survey's results; the eligibility of identified historical resources for federal, state, and local eligibility; and whether adjustments need to be made to the research design. Based on the HPC comments received, the City may revise the survey report accordingly, conduct additional research, or conduct an additional survey. The City shall provide the final survey report to historic preservation staff and the HPC for review and final approval.

Timeframe

The Project Area Survey shall be completed before January 2015.

MM CR-2. Survey Protocol for Future Development Projects

For the purposes of this mitigation measure, "development project" means the whole of an action that has the potential to result in either a direct physical change to the environment or a reasonably foreseeable indirect physical change involving improvements proposed to be undertaken by any public agency, private developer, or property owner on a site pursuant to a building permit, site plan application, or other development entitlement or development agreement with the City, Agency, or other public agency. A development project includes clearing or grading of land, improvement of existing structures, construction or remodeling or expansion of buildings, landscaping, construction of parking structures or areas, public improvements, and related improvements that could adversely affect potentially historic resources or cause below-grade ground disturbance. "Development project site" is defined as the footprint of the development project, which includes all grading areas required for the construction of structures, utility improvements, and road improvements necessary for the development project. The "development project study area" is defined using the area of potential effects (APE) standard as defined in 36 CFR Part 800.16(d) of the federal regulations for the protection of historic properties. The definition of APE, according to 36 CFR Part 800, is "the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist. The APE is influenced by the scale and nature of an undertaking and may be different for different kinds of effects caused by the undertaking." The development project study area, or its APE, shall be determined by the qualified consultant (see Table 3B-2) and recommended to the City of Fresno and Redevelopment Agency. The development project study area is defined as the area of direct impact (ADI) for historic archaeology. The ADI is limited to the exact location of the development project site. The ADI will have both a horizontal (surface coverage) and a vertical scope (depth of excavations for grading as well as footings, sub-floors, and utility installations).

The following survey protocol shall apply to all development projects defined in this section within the subject area before, during, and after the survey described in MM CR-1 are completed.

The following survey protocol shall be implemented for surveyed and unsurveyed areas in the project area during the discretionary approval phase and shall be developed in conformance with California Public Resources Code Sections 5020–5029.5. Associated Phase I historic archaeological surveys shall commence concurrently with the intensive-level historic building surveys for each development project.

Historic Buildings Survey Protocol

Prior to the approval and issuance of development project-related entitlements, the development project applicant shall retain the appropriate preservation consultant to conduct an intensive-level historical resources survey (see Table 3B-1) assessment. This consultant must meet the Secretary of Interior's professional qualifications for history or architectural history (see Table 3B-2) and be approved by the City's Historic Preservation Office prior to initiation of the following tasks. The six tasks required for an intensive-level survey and CEQA analysis are as follows:

1. *Each structure on a proposed development site shall be evaluated to determine if it is 45 years or more in age [1998 EIR MM 3.15-4].* The 45-year age criterion in this Draft SEIR is more stringent and is an augmentation to the original mitigation measure, which had a 50 year age criterion. Survey work shall be conducted per the OHP, which recommends a 45-year age criterion for surveying properties for historical significance (Office of Historic Preservation 1995). This allows 5 years for a development project to obtain all necessary approvals and entitlements while ensuring that all 50 year-old structures within a development project study area have been surveyed to OHP standards when all final approvals and entitlements have been granted, even if their obtainment takes up to 5 years. Record all resources located within a proposed development project study area, including buildings constructed prior to 1968, appropriate infrastructure, landscapes and street furniture, on State of California DPR Primary and Building, Structure, and Object forms (DPR 523A and B) and/or Primary and District Record forms (DPR 523A and D), following guidelines published in the California Office of Historic Preservation's handbook, *Instructions for Recording Historical Resources* (1995). If the Project Area Survey or other surveys have commenced at the time of the discretionary approval, the latest survey criteria, research design, HPC comments, and results developed at that time shall be incorporated into the documentation.
2. *Should a structure meet the age criteria, it shall be evaluated to determine its eligibility for listing on the National Register, California Register, and the City's Official Local List of Historic Places [1998 EIR MM 3.15-4].* The consultant shall evaluate the significance and integrity of all resources of the development project study area for eligibility for listing in the National

Register, the California Register, and the City's Local Register. If the Project Area Survey or other surveys have commenced at the time of the discretionary approval, the latest survey criteria, research design, HPC comments, and results developed at that time shall be incorporated into the evaluation.

3. Submit a draft copy of the intensive-level historic resources survey for each development project to City historic preservation staff for review and comment. Upon receipt, comments shall be incorporated into the survey documentation accordingly, and the assessment shall be finalized. The requirements for submitting an intensive-level survey to OHP standards are found in Table 3B-1.
4. *Should a property be determined eligible for listing on the City's official list, the procedures under this mitigation measure ... shall apply as follows: Should a development project have the potential to cause the demolition of a listed historic structure or adversely affect the criteria under which the structure was eligible for listing, prior to development project approval the City and/or the Agency shall demonstrate that it has reasonably explored and considered alternatives to the development project including the rehabilitation and adaptive reuse of the affected structure, or relocation of the structure [1998 EIR MM 3.15-4]. The term "listed historic structure" is hereby defined to also include historical resources identified as significant in a case-by-case survey. Section 15064.5(a)(2) of the State CEQA Guidelines states that "historical resources identified as significant in a historical resource survey meeting the requirements of Section 5024.1(g) of the Public Resources Code shall be presumed to be historically or culturally significant."*
5. Propose feasible mitigation measures and recommend conditions of approval (if a local government action) to lessen and/or avoid significant development project effects on designated historical resources and those resources determined eligible for local, state, or federal level designation, following Section 15064.5 of the State CEQA Guidelines. Development of appropriate mitigation measures and conditions of approval shall be conducted in concert with the City's historic preservation staff.
6. Prepare a technical resources report documenting the inventory process, identification of resources, evaluation of development project impacts, and proposed mitigation of potential impacts on resources within the development project site. Submit a final hard copy and a CD with an electronic file in PDF format of the report to the City's Planning and Development Department for review and approval.

Upon completion of an intensive-level historic resources survey for a development project, Lead Agency staff or City historic preservation staff shall refer to the HPC for its review and recommendations regarding any property found (as defined by Fresno Municipal Code Section 12-1604(b)) to be a potential candidate for listing on the City's Local Register or a potential historic resource within the meaning of PRC Section 21084.1 and State CEQA Guidelines Section 15064.5.

Notices and orders issued for violations of the housing code, dangerous building ordinance, and exterior building maintenance ordinance, as related to properties 45 years of age and older, shall be made available to the City's historic preservation staff and the HPC for their recommendations on surveying, assessing, and preserving potential historic resources under these circumstances [1998 EIR MM 3.15-4]. The 45-year age criterion is an augmentation to the original mitigation measure, which had a 50-year age criterion.

Historic Archaeological Site Evaluation Protocol

Should buried archaeological resources be discovered during the course of construction, those activities that would adversely affect the resource shall cease and the City of Fresno Planning and Development Department shall be notified. The developer shall consult a qualified archeologist and the archaeological inventory to determine the significance of the find and feasible mitigation measures. The Fresno County Coroner shall be contacted. The Native American Heritage Commission shall be immediately contacted if the remains are suspected to be Native American in origin [1998 EIR MM 3.15-1].

Prior to the approval and issuance of development project-related entitlement, the development project applicant shall retain the appropriate preservation consultant to conduct a historic archaeological Phase I assessment. This consultant must meet the Secretary of Interior's professional qualifications for archaeology (historic) and be approved by the City's historic preservation staff prior to initiation of the following tasks. The archaeological consultant shall initiate an archeological investigation to determine whether there are sub-surface historic archaeological deposits that pre-date the buildings within the development project site or if there is the potential to yield sub-surface historic archaeological deposits in the development project study area. This work will entail the following tasks:

- a. Conduct additional archival work specific to the history of the various parcels as necessary to determine the potential for the presence and location of subsurface deposits and/or features of historic archeological significance. Resource materials will include Sanborn fire insurance maps, city directories, historic photographs, church records, previous surveys, and City building permits;
- b. To effectively focus and maximize the efforts to identify buried archeological deposits, the archaeologist on behalf of the applicant will determine an ADI;
- c. Should archival research indicate a high potential for sub-surface deposits within the ADI, the archaeologist will conduct on-site archaeological testing consisting of ground penetrating radar (GPR) and/or backhoe or other mechanical trenching. Limited hand excavations will be employed to investigate the potential for buried historic deposits/features in the area identified as the ADI;

- d. The City, based on the results and evaluation of the subsurface investigation and archaeologist's professional judgment, in consultation with the City's historic preservation staff, will determine if there are any buried historic archeological deposits that meet the criteria for historical significance as defined in the State CEQA Guidelines. If there are, the City will continue consultation to determine whether further investigative measures (i.e., data recovery, mitigation measures, curation, etc.) are warranted; and
- e. A technical resources report documenting the inventory process, identification of resources, evaluation of development project impacts, and proposed mitigation of resources within the development project site shall be prepared by the archaeologist. A final hard copy and a CD with an electronic file in PDF format of the report shall be submitted to the City's Planning and Development Department for review and approval.

Level of Significance after Mitigation

Impacts would be significant and unavoidable.

Section 3C

Greenhouse Gas Emissions

Section 3C

Greenhouse Gas Emissions

Introduction

This section describes the environmental setting related to global climate change, discusses GHG emissions and their sources, and presents potential impacts on global climate change that would result from the Project. Mitigation measures that would reduce these impacts are identified as necessary. A discussion of traditional air pollutions (e.g., ozone, particulate matter, and carbon monoxide) is provided in Section 3A.

The following key resources were used in the preparation of this section:

- *Assembly Bill 32 (AB 32) Scoping Plan*;
- *Draft 2009 Climate Action Team Biennial Report to the Governor and Legislature* (Climate Action Team 2009);
- *Air Quality Update of the 2025 Fresno General Plan Resource Conservation Element* (City of Fresno 2009); and
- *Edison Community Plan* (Fresno City Council 1977).

Environmental Setting

This section presents information regarding statewide, national, and global GHG emissions. It provides the context necessary to determine the potential impacts of the Project's GHG emissions.

The characteristics and sources of, as well as the units used to quantify, the six GHGs listed in AB 32 are discussed below. The six GHGs are carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF₆).

Climate Change

Global climate change refers to a collection of large-scale changes to global atmospheric composition and circulation, ocean circulation, global snow and ice cover, precipitation patterns, and biological distributions and processes that are induced through a warming of the earth's atmosphere. The earth's atmosphere is naturally warmed through a process known as the greenhouse effect. However, this effect can be enhanced through the addition of GHGs to the atmosphere by human activities. Certain gases naturally present in the earth's atmosphere (i.e., CO₂, water [H₂O], CH₄, N₂O, ozone, and certain fluorocarbons) are effective absorbers of the infrared radiation (heat energy) that constantly radiates outward from the earth's surface to space. These gases absorb heat energy that would otherwise escape to space, warming the lower atmosphere. Earth's surface would be roughly 60°F cooler if GHGs were not present in the atmosphere, rendering the planet inhospitable to life.

During the last 50 years, increasing scientific focus and general public concern over environmental deterioration has brought broad public awareness to the fact that changes to the climate system are occurring more rapidly than would be expected from natural processes. In 1988, the World Meteorological Organization (WMO) and United Nations Environment Program (UNEP) established the Intergovernmental Panel on Climate Change (IPCC), a scientific body that reviews and assesses, through a rigorous and balanced process, the most recent scientific, technical, and socio-economic research produced worldwide relevant to climate change. The IPCC reports are considered by the scientific community, national governments, and regulatory entities worldwide as the definitive word on the state of knowledge regarding climate change, its potential impacts, and options for adaptation and mitigation. The IPCC released its Fourth Scientific Assessment on Climate Change in 2007 (Intergovernmental Panel on Climate Change 2007a), stating that "warming of the climate system is unequivocal, as is now evident from observations of increases in global average air and ocean temperatures, widespread melting of snow and ice, and rising global average sea level" (Solomon 2007). The most recent IPCC assessment predicts substantial increases in global temperatures of between 1.1° and 6.4° Celsius (C) (depending on scenario) before 2100 (Solomon 2007).

The IPCC report further concluded that most of the observed increase in global average temperature during the latter half of the 20th century was very likely due to the rise in anthropogenic GHGs during that same time (Solomon 2007). Levels of GHGs, in particular CO₂, in the earth's atmosphere have been increasing rapidly since roughly 1800 (Solomon 2007) because of the burning of fossil fuels. Emissions of GHGs in excess of natural ambient concentrations are responsible for the enhancement of the greenhouse effect, a trend of unnatural warming of the earth's natural climate commonly called "global warming." Rapid warming of the earth's atmosphere and oceans has been observed in all regions of the globe (Solomon 2007).

Worldwide, California is the 17th largest emitter of CO₂ (California Energy Commission 2006) and is responsible for approximately 2% of the world's CO₂ emissions (California Energy Commission 2006). In 2004, California emitted roughly 500 million metric tons of CO₂. Of this total, 41% was from transportation, 22% from electric power generation, 21% from industry, and the remaining 16% from agriculture, forestry, and other sources. Although California has the second-highest emissions compared with other states, it has one of the lowest per capita emission rates. Emissions of CO₂ and N₂O are byproducts of fossil fuel combustion, among other sources. Methane, a highly potent GHG, results from off-gassing associated with agricultural practices and landfills, among other sources. Sinks of CO₂ include uptake by vegetation and dissolution into the ocean.

Recent studies sponsored by the California Energy Commission (2009) and U.S. Global Change Research Program (2009) have identified potential impacts that may be expected in California because of climate change. With the exception of sea level rise, there is little or no information at the county or city level regarding the extent to which these impacts might occur locally. The impacts include

- rising sea levels along the California coastline, particularly in San Francisco and the San Joaquin Delta because of ocean expansion and melting glaciers;
- extreme heat conditions, such as heat waves and very high temperatures, which could last longer and become more frequent;
- an increase in heat-related human deaths and infectious diseases and a higher risk of respiratory problems caused by deteriorating air quality;
- reduced snow pack and streamflow in the Sierra Nevada, affecting winter recreation, water supplies, and hydro-electric power potential;
- potential increases in the severity of winter storms, affecting peak streamflows and flooding;
- changes in growing season conditions that could affect California agriculture, causing variations in crop quality and yield;
- changes in distribution of plant and wildlife species because of changes in temperature, competition from colonizing species, changes in hydrologic cycles, changes in sea levels, and other climate-related effects; and
- increased fire frequency and associated impacts on regional air quality and human health.

These changes in California's climate and ecosystems could be occurring at a time when California's population is expected to increase from 34 million to 59 million (by 2040) (Department of Finance 2007). As such, the number of people potentially affected by climate change and the amount of anthropogenic GHGs emissions expected under a "business as usual" scenario are expected to increase. Similar changes to those noted above for California would also occur in other parts of the world, with regional variations in resources affected and vulnerability to adverse effects.

Primary climate change impacts of concern in the Central Valley include increased frequency and duration of heat wave conditions; higher average summer temperatures; drier conditions due to increased evaporation, decreased Southern California rainfall, and decreased water supplies from the Sierra Nevada snowpack; decreases in the yields of certain crops; and increases in fire frequency (Climate Action Team 2009); changes in productivity of managed forests; reduced water resources statewide; potentially decreased residential energy resources; deterioration in air quality due to increased temperatures, aridity, and fire frequency; and public health impacts associated with all of the above (Climate Action Team 2009).

GHGs are well mixed globally and persist in the atmosphere for 100 years or more—time periods several orders of magnitude longer than criteria pollutants such as ozone. Climate change is a global problem, and GHGs are global emissions, unlike criteria air pollutants (such as ozone precursors) and toxic air contaminants, which are pollutants of regional and local concern. Unlike criteria pollutants, levels of GHGs at a particular locale may not decrease significantly in response to local controls of GHG emissions. Given their long atmospheric lifetimes, GHGs emission reduction strategies can be effectively undertaken on a global scale, whereby local GHGs emissions can be mitigated by GHGs reductions that occur elsewhere. The long atmospheric lifetime, effective dispersal, and inherently cumulative nature of GHGs emissions complicates the regulatory approach to these emissions, as is discussed below. Consequently, the regulatory framework for GHGs is still developing at international, national, state, and local levels.

The characteristics, sources, and units used to quantify the six gases listed in AB 32 are documented in this section in order of abundance in the atmosphere. Water vapor, although the most abundant GHG, is not included because natural concentrations and fluctuations far outweigh anthropogenic influences. Although some recent literature has suggested that “black carbon,” which is a component of soot, should be included in the analysis of GHGs, black carbon is not included in this analysis. However, it could be included in future CEQA analysis for future development within the project area, if deemed appropriate. Inclusion of black carbon in CEQA air quality analyses is not precluded by State CEQA Guidelines, but because of the effectiveness of controls on particulate matter (of which black carbon is one component) in the United States, it is not current practice. Black carbon is generally associated with emissions-producing activities in developing countries that do not have regulations in place for the control of particulate matter (Intergovernmental Panel on Climate Change 2007a). Because the San Joaquin Valley Air Basin (SJVAB) is in nonattainment for PM_{2.5}, future development facilitated by the Project would likely involve substantial particulate matter control measures, and black carbon, as controlled via these measures, would not create meaningful climate change impacts. In addition, substantial uncertainties exist regarding the actual global warming potential of black carbon. These uncertainties are even larger when considered at the local or regional scale. Finally, black carbon is not treated as a GHG in existing climate change legislation, including AB 32.

To simplify reporting and analysis, methods have been set forth to describe emissions of GHGs in terms of a single gas. The most commonly accepted method to compare GHG emissions is the “global warming potential” methodology defined in the IPCC reference documents (Solomon 2007). The IPCC defines the global warming potential of various GHG emissions on a normalized scale that recasts all GHG emissions in terms of carbon dioxide equivalents (CO₂e). This compares the gas in question to that of the same mass of CO₂ over a specified timeframe (CO₂ has a global warming potential of 1 by definition). For example, a high global warming potential represents high infrared absorption and a long atmospheric lifetime when compared with CO₂. One must also select a time horizon to convert GHG emissions to equivalent CO₂ emissions to account for chemical reactivity and lifetime differences between various types of GHGs. The standard time horizon for climate change analysis is 100 years. GHGs generally have long atmospheric lifetimes, and a 100-year horizon provides an accurate and effective timeframe for analyzing their impacts. Generally, GHGs emissions are quantified in terms of metric tons of CO₂ equivalent emitted per year (1 metric ton equals about 1.1 American tons).

Collectively, HFCs, PFCs, and SF₆ are referred to as high-global-warming potential gases. CO₂ is by far the largest component of worldwide CO₂e emissions, followed by CH₄ and N₂O. Table 3C-1 lists the anthropogenic contribution of individual GHGs to the global budget of all GHG emissions in 2004. Table 3C-2 lists the atmospheric lifetimes and relative global warming potential of important GHGs (Intergovernmental Panel on Climate Change 2007b).

Table 3C-1. Contribution of Individual GHGs to Total Global Emissions in 2004

GHG	% of 2004 Total Emissions
CO ₂ (fossil fuel combustion)	56.6 %
CO ₂ (deforestation)	17.3%
CH ₄	14.3%
N ₂ O	7.9%
F- containing gases	1.1%

Source: Intergovernmental Panel on Climate Change 2007b.

Table 3C-2. Atmospheric Lifetimes and Global Warming Potential of Major GHGs

GHG	Global Warming Potential (relative to CO ₂)	Atmospheric Lifetime (years)
CO ₂	1	50–200 ^a
CH ₄	21	9–15
N ₂ O	310	120
HFC-23	11,700	264

GHG	Global Warming Potential (relative to CO ₂)	Atmospheric Lifetime (years)
HFC-134a	1,300	14.6
HFC-152a	140	1.5
CF ₄	6,500	50,000
C ₂ F ₆	9,200	10,000
SF ₆	23,900	3,200

Source: Intergovernmental Panel on Climate Change 2007b.

Greenhouse Gases

Carbon Dioxide

According to Table 3C-1, CO₂ accounts for nearly 74% of all anthropogenic GHG emissions (Intergovernmental Panel on Climate Change 2007b). Increasing concentrations of CO₂ in the atmosphere are primarily a result of emissions from the burning of fossil fuels, particularly for the generation of electricity and powering of motor vehicles, with land use change providing another significant but smaller contribution (Intergovernmental Panel on Climate Change 2007b). Anthropogenic emissions of CO₂ have increased concentrations in the atmosphere most notably since the industrial revolution; the concentration of CO₂ has increased from about 280 to 379 parts per million over the last 250 years (Intergovernmental Panel on Climate Change 2007b).

Methane

Methane, the main component of natural gas, is the second-largest contributor to anthropogenic GHG emissions and has a global warming potential of 21 (Association of Environmental Professionals 2007). The primary anthropogenic source of methane emissions is agricultural activities, such as rice production and cattle farming, as well as the combustion of natural gas and coal mining (National Oceanic and Atmospheric Administration 2005). Atmospheric methane has increased from a pre-industrial concentration of 715 to 1,774 parts per billion in 2005 (Intergovernmental Panel on Climate Change 2007b).

Nitrous Oxide

Nitrous oxide is a powerful GHG, with a global warming potential of 310 (Intergovernmental Panel on Climate Change 2007b). The largest source of anthropogenic N₂O emissions is agricultural activity (Intergovernmental Panel on Climate Change 2007b). Nitrous oxide concentrations in the atmosphere have increased from pre-industrial levels of 270 parts per billion to 319 parts per billion in 2005 (Intergovernmental Panel on Climate Change 2007b).

Hydroflourocarbons

Hydroflourocarbons are man-made chemicals used in commercial, industrial, and consumer products with high global warming potentials. HFCs are generally used as substitutes for ozone-depleting substances in automobile air conditioners and refrigerants. The most abundant HFCs, in order from most abundant to least, are HFC-134a (35 parts per trillion [ppt]), HFC-23 (18 ppt), and HFC-152a (3.9 ppt) (Solomon 2007).

Perfluorocarbons

The most abundant PFCs include tetrafluoromethane (CF₄) and hexafluoroethane (C₂F₆). These man-made chemicals are emitted largely from aluminum production and semiconductor manufacturing processes. PFCs are extremely stable compounds that are destroyed only by very high-energy ultraviolet rays, which explains the very long lifetimes of these chemicals, ranging from 800 to 4,100 years (Solomon 2007).

Sulfur Hexafluoride

Sulfur hexafluoride, another man-made chemical with a very high global warming potential, is used as an electrical insulating fluid for power distribution equipment, in the magnesium industry, in semiconductor manufacturing, and also as a trace chemical for the study of oceanic and atmospheric processes. Atmospheric concentrations have increased from roughly 4.1 ppt in 1998 to 5.6 ppt in 2007 (Solomon 2007).

Greenhouse Gas Inventories

A GHG inventory is a quantification of all GHG emissions and sinks (a sink is a pool or reservoir that absorbs or takes up released GHG, such as carbon) within a selected physical and/or economic boundary. GHG inventories can be performed on a large scale (i.e., for global and national entities) or on a small scale (i.e., for a particular building or person).

GHG emission and sink specifications are complicated by the fact that natural processes may dominate the carbon cycle. Though some emission sources and processes are easily characterized and well understood, other components of the GHG budget may not be known with accuracy. As such, GHG protocols are currently under development, and ad-hoc tools must be developed to quantify emissions from certain sources and sinks.

The following sections outline the global, national, and statewide GHG inventories to put into context the relative magnitude of Project-related emissions.

Intergovernmental Panel on Climate Change Inventory

The IPCC was established by the World Meteorological Organization and United Nations Environment Program to assess scientific, technical, and socioeconomic information relevant to the understanding of climate change, its potential impacts, and options for adaptation and mitigation (Intergovernmental Panel on Climate Change 2007b). In the 2007 IPCC Synthesis Report, global anthropogenic GHG emissions for 2004 were estimated to be 49,000 million metric tons (MMT) of CO₂e, which is 70% above 1970 emissions levels. CO₂ contributed to 76.7% of total emissions, CH₄ accounted for 14.3%, N₂O contributed 7.9% of total emissions, and fluorinated gases (HFCs, PFCs, and SF₆) contributed to the remaining 1.1% of global emissions in 2004. Energy supply was the sector responsible for the greatest amount of GHG emissions (25.9%), followed by industry (19.4%), forestry (17.4%), agriculture (13.5%), and transportation (13.1%) (Intergovernmental Panel on Climate Change 2007b).

U.S. Environmental Protection Agency's National GHG Inventory

EPA estimates that total GHG emissions in the United States for 2008 amounted to 6,016.4 MMT of CO₂ equivalent, which is 13.5% greater than 1990 levels (U.S. Environmental Protection Agency 2010a**Error! Bookmark not defined.**). Table 3C-3 illustrates the contribution of each GHG to total GHG emissions in the United States in 2008, based on CO₂ equivalent. The largest contributors to GHG emissions in the United States in 2008 by economic sector were the transportation (32%), industrial (27%), residential (21%), and commercial (19%) sectors (U.S. Environmental Protection Agency 2010a).

Table 3C-3. Total GHG Emissions in the United States in 2008

Gas	Emissions (million metric tons)	% of total 2008 U.S. Emissions in CO ₂ e
CO ₂	5,921.2	85.12%
CH ₄	567.6	8.16%
N ₂ O	318.2	4.57%
HFCs	126.9	1.82%
PFCs	6.7	0.10%
SF ₆	16.1	0.23%

Source: U.S. Environmental Protection Agency 2010a.

California Statewide GHG Inventory

The California Energy Commission's Inventory of Greenhouse Gas Emissions and Sinks: 1990–2006 estimates that California is the second-largest emitter of GHG emissions in the United States by state but among the lowest on a per capita or per unit of economic output basis. The commission estimates that in 1990, California's gross GHG emissions amounted to between 425 and 452 MMT of CO₂e. The California Energy Commission estimated that in 2004, California's gross GHG emissions were 492 MMT of CO₂e. The transportation sector produced approximately 40.7% of California's GHG emissions in 2004. Electric power production accounted for approximately 22.2% of emissions, the industrial sector contributed 20.5% of the total, agriculture and forestry contributed 8.3%, and other sectors contributed 8.3% (California Air Resources Board 2009c).

CARB recently released revised estimates of California's 1990 and 2004 emissions, now estimating that 1990 emissions amounted to 427 MMT of CO₂e, and 2004 emissions levels amounted to 484 MMT of CO₂e (California Air Resources Board 2009c).

Applicable Regulations

While climate change and global warming were active areas of scientific research in 1998, as well as environmental issues of great public concern, the reduction of GHG emissions through national, state, and local regulations was only beginning to be discussed. An overview of current national, state, and local actions that pertain to GHG emissions from potential projects within the project area is provided below. Because the regulatory landscape regarding GHGs continues to evolve rapidly, additional regulations and requirements, not mentioned here, could apply to future development within the project area and would be included in associated CEQA documents.

Federal

Currently there is no overarching federal policy or legislation regulating the emission of GHGs. However, in recent years, activity in all branches of the federal government indicates that the United States has a commitment to understanding and addressing climate change, with EPA taking a leadership role in implementation. A chronology of actions relevant to GHGs and climate change at the federal level is provided below.

- *Global Climate Change Research Act of 1990*—The U.S. Global Change Research Program (USGCRP) began through a presidential initiative that was mandated by Congress in the Global Climate Change Research Act of 1990. The USGCRP includes 13 federal agencies and coordinates federal

research on climate change and its societal implications. The USGCRP works with other agencies to support research and monitoring activities as well as produce periodic assessments for the United States government and its citizens (U.S. Global Change Research Program 2009). The Global Climate Change Research Act of 1990 called for a “comprehensive and integrated United States research program that will assist the nation and the world to understand, assess, predict, and respond to human-induced and natural processes of global change” (U.S. Global Change Research Program 2009).

- *Climate Change Challenge to Business and Industry*—On February 14, 2002, President George Bush announced a national strategy to reduce the United States’ GHG emission intensity (tons of GHG emissions per million dollars of gross domestic product) by 18% before 2012. No binding reductions were associated with the goal. Rather, EPA administers a variety of voluntary programs and partnerships with GHG emitters in which EPA partners with industries producing and utilizing synthetic gases to reduce emissions of these particularly potent GHGs.
- *Massachusetts et al. v. EPA*—On April 2, 2007, the U.S. Supreme Court determined that EPA does have the authority to regulate GHGs under the CAA. The court also instructed EPA to review its policies toward regulation of vehicle emissions under the CAA but stopped short of mandating that EPA enact such regulations. Massachusetts and 11 other states sued EPA for not regulating four GHGs (including CO₂) from the transportation sector.
- *Executive Order to Control GHGs*—On May 14, 2007, in response to the Supreme Court’s decision, the president issued an executive order to control GHG emissions from motor vehicles, non-road vehicles, and non-road engines. EPA joined a cross-agency effort to develop new regulations that would cut GHG emissions from motor vehicles and their fuels, and EPA began an endangerment determination.
- *Energy Independence and Security Act*—On December 19, 2007, the Energy Independence and Security Act of 2007 (EISA) was signed into law, which requires an increased Corporate Average Fuel Economy (CAFE) standard of 35 miles per gallon for the combined fleet of cars and light trucks by model year 2020. EISA requires establishment of interim standards (from 2011 to 2020) that will be the “maximum feasible average fuel economy” for each fleet. EISA also includes several other provisions: 1) Renewable Fuel Standard (RFS) (Section 202), 2) Appliance and Lighting Efficiency Standards (Sections 301–325), and 3) Building Energy Efficiency (Sections 411–441). Additional provisions of EISA address energy savings in government and public institutions, promoting research for alternative energy, additional research in carbon capture, international energy programs, and the creation of “green jobs.”
- *EPA Mandatory GHG Reporting*—On October 30, 2009, EPA signed a rule that requires mandatory reporting of emissions of GHGs from large sources in the United States. Under the rule, suppliers of fossil fuels or industrial GHGs, manufacturers of vehicles and engines, and facilities that emit

25,000 metric tons or more per year of GHG emissions are required to report annual emissions to EPA. The rule went into effect January 1, 2010. The first annual reports for the largest emitting facilities, covering calendar year 2010, will be submitted to EPA in 2011.

- *EPA Finding of Endangerment*—On December 7, 2009, the EPA administrator found that current and projected concentrations of CO₂, CH₄, N₂O, HFCs, PFCs, and SF₆ threaten the public health and welfare of current and future generations. Additionally, the administrator found that combined emissions of CO₂, CH₄, N₂O, and HFCs from motor vehicles contribute to atmospheric concentrations and thus to the threat of climate change.
- *EPA Tailpipe Standards*—On April 1, 2010, EPA and the Department of Transportation's National Highway Traffic Safety Administration (NHTSA) announced the first national tailpipe standards for new cars and trucks sold in the United States. The program applies to passenger cars, light-duty trucks, and medium-duty passenger vehicles, covering model years 2012 through 2016, and requires these vehicles to meet combined average fuel economy of 35.5 miles per gallon. It is estimated that these standards will cut GHGs emissions by 960 MMT over the lifetime of the vehicles (U.S. Environmental Protection Agency 2010b).
- *CAA GHG Permit Requirements*—On May 13, 2010, EPA adopted a law requiring all facilities generating more than 75,000 metric tons of GHGs to include these emissions in their CAA permit. The new CAA permits must demonstrate the use of best management practices to minimize GHG emissions. The permitting requirements will take effect on January 2, 2011.

State

A variety of legislation has been enacted in California relating to climate change, much of which sets aggressive goals for GHG reductions within the state. The key legislation provided below is applicable to the proposed project.

- *Executive Order S-3-05*—Designed to reduce California's GHG emissions to 1) 2000 levels by 2010, 2) 1990 levels by the 2020, and 3) 80% below the 1990 levels by 2050.
- *Assembly Bill 32, the Global Warming Solutions Act of 2006*—Sets the same 2020 GHG emissions reduction goal as S-3-05 while further mandating that CARB create a plan, which includes market mechanisms, and implement rules to achieve "real, quantifiable, cost-effective reductions of greenhouse gases." AB 32 further directed state agencies and the Climate Action Team to identify discrete early-action GHG reduction measures, which were adopted in early 2010. These measures relate to truck efficiency, port electrification, tire inflation, and reduction of PFCs, propellants, and SF₆.

- *The AB 32 Scoping Plan*—Contains the main strategies California will use to reduce GHG from business-as-usual (BAU) emissions projected for 2020 back down to 1990 levels. As part of the scoping plan, CARB is conducting rule making, culminating in rule adoption by January 1, 2011, for reducing GHG emissions to achieve the emissions cap by 2020.
- *Executive Order S-01-07 Low-Carbon Fuel Standard*—Requires a 10% or greater reduction in the average fuel carbon intensity for transportation fuels in California regulated by CARB.
- *AB 1493 (Pavely), Greenhouse Gases, Chapter 200, Statutes of 2002*—Requires CARB to adopt regulations to reduce GHG emissions from noncommercial passenger vehicles and light-duty trucks of model year 2009 and thereafter.
- *Senate Bill (SB) 375 (Steinberg), Statutes of 2008*—Requires regional transportation plans developed by metropolitan planning organizations to incorporate a “sustainable communities strategy” in their regional transportation plans that will achieve GHG emission reduction targets for cars and light trucks to be set by CARB.
- *SB 1368 Greenhouse Gas Emissions Performance Standard*—Prohibits any retail seller of electricity in California from entering into a long-term financial commitment for base-load generation if the GHG emissions are higher than those from a combined-cycle natural gas power plant.
- *State CEQA Guidelines, as amended in 2010* —Require lead agencies to analyze a project’s GHG emissions. The guidelines confirm the discretion of lead agencies to determine appropriate significance thresholds but require the preparation of an EIR if “there is substantial evidence that the possible effects of a particular project are still cumulatively considerable, not withstanding compliance with adopted regulations or requirements” (Section 15064.4).

Local

SJVAPCD

In December 2009, SJVAPCD formally adopted the region’s first GHG thresholds for determining significant climate change impacts in the SJVAB. The guidance is intended to streamline CEQA review by pre-quantifying emissions reductions that would be achieved through the implementation of best performance standards (BPS). BPS are being developed by SJVAPCD based on current technologies, operating principles, and energy efficiency tactics.

According to the December 2009 report, stationary-source projects failing to implement BPS or demonstrate a 29% reduction in GHG emissions relative to BAU conditions are considered to have a significant impact on climate change.

The GHG thresholds apply only to stationary-source projects that would result in increased GHG emissions of which SJVAPCD is the lead agency (San Joaquin Valley Air Pollution Control District 2009). While the thresholds adopted by SJVAPCD were developed for internal use, they serve as the basis for guidance issued by SJVAPCD for other agencies when establishing their own processes for determining significance related to climate change (San Joaquin Valley Air Pollution Control District 2009).

The Project would not result in project-level development but, rather, programmatically facilitate possible future development beyond the current time limits. Each future development proposal within the project area would have to undergo a separate project-level CEQA analysis to obtain necessary discretionary approval and conform to SJVAPCD requirements at that time as part of the analysis.

2025 Fresno General Plan

The air quality element update to the City General Plan (City of Fresno 2009) contains numerous goals and policies that would reduce GHG emissions in the area. Some of the relevant proposed measures are provided below.

- Encourage development proponents to offset or mitigate emissions by removing older, less efficient and higher emitting vehicles from service.
- Control and reduce air pollution emissions from City operations and facilities.
- Develop renewable energy projects and programs.
- In cooperation with other jurisdictions and agencies in the SJVAB, take steps to reduce GHG emissions.
- Conduct a GHG inventory.
- Develop a policy for emission credits generated through City facilities, programs, and policies.
- Increase efforts to incorporate GHG emission reductions into land use decisions, facility design, and operational measures subject to City jurisdiction.
- Consider strengthening City standards for purchasing low-polluting and climate-friendly goods and services.
- Prioritize energy and water conservation through various measures.
- Maintain current levels of achievement for recycling and reuse.
- Make transportation services more efficient.
- Continue to enhance landscaping consistent with energy and water conservation principles.

CEQA documents prepared for future development within the project area would address conformity of the development with the general plan and general plan updates.

SJVAPCD encourages local jurisdictions to design developments in ways that reduce air pollution from vehicles. Promulgated under SJVAPCD, the GAMAQI (San Joaquin Valley Air Pollution Control District 2002) lists various land uses and design strategies to reduce air quality impacts resulting from new development. Many of these design strategies and policies also act to reduce GHG emissions by reducing VMT.

The Project was included as part of the general plan analysis (City of Fresno 2002a). Therefore, the Project has been addressed within the current general plan and, consequently, considered under the current air quality attainment plan for the SJVAB.

Edison Community Plan

The Edison Community Plan does not have a specific air quality or climate change element (Fresno City Council 1977). Nevertheless, several recommendations outlined for other resources would reduce GHG emissions in the Project area. Some of the relevant proposed measures are provided below.

- Work to monitor and improve the operation of the wastewater treatment plant to minimize and eliminate any negative impacts on air quality.
- Implement the Fresno-Clovis Metropolitan Area Bikeways Plan in the community.
- Improve transit service within the community, including increasing the frequency of pickups and the hours of services.

Impacts and Mitigation

This section describes the Project's impacts on climate change. It describes the methods used for the impact analysis as well as the thresholds of significance. Mitigation measures to reduce significant impacts immediately follow each impact discussion, as necessary.

Methodology

It is possible for project-related GHG emissions to be estimated. As previously noted, GHG contaminant emissions tend to accumulate in the atmosphere because of their relatively long lifespan. As a result, their impact on the atmosphere is mostly independent of the point of emission. In other words, it is

unlikely that GHGs emitted as part of the Project would have an individually discernable effect on global climate change. However, these GHG emissions contribute to the cumulative effect of global climate change. The methodology employed for this Draft SEIR was therefore a comprehensive yet qualitative assessment of potential GHGs generated by the Project and whether they would result in a cumulatively considerable net increase in GHG emissions or conflict with applicable climate change regulations or laws. Please refer to Chapter 4, Cumulative Impact Analysis, for additional details regarding cumulative impacts from other resources.

Criteria for Determining Significance

Based on Appendix G of the State CEQA Guidelines and the initial study analysis (see Appendix B), the Project would have a new or more severe significant impact on GHG emissions and climate change if it would

- generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or
- conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

Impact Analysis

Impact GHG-1. The Project would generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.

Buildout of the project area would result in short-term emissions from construction and long-term emissions from operations (mobile and area source).

Project construction would generate CO₂, CH₄, and N₂O emissions from the following sources: heavy-duty construction equipment operating on the site, mobile-source emissions attributed to construction workers who would travel to and from the site, and haul/delivery trucks that would travel to and from the site. In addition, GHG emissions would occur as a result of embodied emissions such as paving and land use changes in the project area.

GHG emissions from construction are highly dependent on the total amount of disturbed area, the duration of construction, and the intensity of construction activity. In addition, the number and types of heavy-duty equipment have a significant effect on the generation of GHGs. Construction impacts can thus vary depending on the type and number of developments within the project area. At this time, no specific proposals have been submitted. As such, there is limited information on the type of construction to be complete, thereby making a

quantitative analysis of GHG emissions purely speculative. However, any GHG emissions generated by project construction would contribute to global climate change to some small degree. Future development within the project area would quantify GHG emissions at the time of CEQA analysis using the most up-to-date quantification tools. Subsequent developments would compare project-level GHG inventories with the appropriate GHG thresholds current at the time.

GHG emissions from fuel consumption, VMT, cement manufacture, and other select industrial processes would be calculated using various tools and guidelines, including the California Climate Action Registry's General Reporting Protocol (California Climate Action Registry 2009). At this time, there is limited information on the number and distances of vehicle trips associated with future development that may result from the Project. Because GHG emissions from fuel consumption are directly related to VMT, vehicle types, and traffic speeds, a quantitative analysis of GHG emissions is not possible. Likewise, the quantification of embodied emissions associated with building materials currently involves large uncertainty because of the complex nature of the manufacturing and transportation processes. Estimations of embodied emissions for project-level GHG inventorying are not yet standard practice. Quantification of emissions from land use change also has a high degree of uncertainty because of the currently imprecise quantifications of above- and belowground carbon stocks, including uncertainties associated with the carbon sequestration potential of the Project subsequent to development. As scientific tools and methodologies improve, calculations of embodied emissions and emissions due to changing a natural to an urbanized landscape will become more reliable.

Future operations within the project area would generate GHG emissions from a variety of sources, including on-road vehicle travel, electricity consumption, natural gas consumption, area-source emissions, water supply and distribution, waste generation, wastewater treatment, and public lighting. As discussed above, there is currently limited information on the development that will occur as a result of the Project. GHG emissions from future operations are highly dependent on types of buildings to be constructed (e.g., residential versus commercial) and energy efficiency measures (e.g., Leadership in Energy and Environmental Design [LEED] is certification). Depending on the number of developments and the level and intensity of energy conservation measures, project operations could represent a substantial net increase in GHG emissions relative to baseline conditions. It is likely that the majority of emissions would originate from increased vehicle travel and energy consumption.

An analysis of operational GHG emissions within the project area was not required at the time of the 1998 EIR. Full buildout of the project area could result in increased VMT and energy use as well as consequent increases in GHG emissions. Scientific tools and appropriate methodologies are available for estimating GHG emissions from many GHG sources associated with operations, and future CEQA analyses in support of these should include an inventory of each future development's GHG emissions that is as thorough as possible.

Unlike criteria pollutant impacts, which are local and regional in nature, climate change impacts occur at a global level. The relatively long lifespan and persistence of GHGs (see Table 3C-2) require climate change to be considered a cumulative and a global impact. A comparison of direct and indirect GHG emissions generated by the project with the most recent GHG inventories is currently not possible. However, as discussed above, global, national, and state GHG emissions are substantial and represent the sum total of emissions generated by hundreds of thousands of development and transportation projects. It is therefore likely that the Project would have only a miniscule impact on state, federal, and international emissions of GHGs.

While GHG emissions from the Project may be negligible relative to total state, national, and global emissions, scientific consensus concludes that given the seriousness of climate change, small contributions of GHGs may be cumulatively considerable. When compared with baseline emissions, implementation of the Project would result in a net increase in GHG. This is a potentially significant cumulative impact.

Mitigation Measures

MM CC-1. Incorporate GHG Reduction Measures Identified in Planning Documents Adopted by Fresno County and the SJVAPCD.

The Agency will impose a combination of the following measures to reduce GHG emissions from any individual project or development entitlement that it approves by 29% from BAU. The measures shall be imposed as part of a development agreement or other binding and enforceable requirement upon developers or other development entities. The Agency will also abide by this measure for development projects that are its own projects.

City of Fresno General Plan

The following measures as listed in the air quality update to the general plan (City of Fresno 2009), shall be pursued, where feasible:

- Encourage development proponents to offset or mitigate emissions by removing older, less-efficient and higher emitting vehicles from service;
- Develop a policy for emission credits generated through City facilities, programs, and policies;
- Increase efforts to incorporate GHG emission reductions into land use decisions, facility design, and operational measures subject to Agency jurisdiction;
- Consider strengthening Agency standards for purchasing low-polluting and climate friendly goods and services;
- Prioritize energy and water conservation through various measures;
- Maintain current levels of achievement for recycling and reuse;
- Make transportation services more efficient; and
- Continue to enhance landscaping consistent with energy and water conservation principles.

Additionally, many of the measures and policies set forth in the City General Plan that aim to reduce criteria pollutant emissions (listed in MM AQ-1) will also reduce GHGs. Implementation of these measures shall be pursued to the greatest extent feasible.

SJVAPCD GHG Guidance

Appendix J of the Final SJVAPCD GHG Guidance (2009) identifies several GHG emissions reduction measures. Each of these strategies has been assigned a land use type for which a reduction point value can be claimed. Point values are used to approximate the emission reduction factor associated with particulate control measures.

The following BPS have been selected from Appendix J because they are the most applicable to projects that may be developed in the plan area. Reduction potentials, as well as land use types, are also provided. Please refer to Appendix J of the Final SJVAPCD GHG Guidance (2009) for the stipulations and requirements of each measure.

GHG Reduction Measure^a	Applicable Land Use	CO₂e Point Reduction
Bike Parking	C, M	0.625
End-of-Trip Facilities	C, M	0.625
Bike Parking at Multi-Unit Residential	R	0.625
Pedestrian Network	C, M, R	0.5-1
Pedestrian Barriers Minimized	C, M, R	1
Bus Shelter for Existing or Planned Transit Service	C, M, R	0.25-0.5
Traffic Calming	C, M, R	0.25-1
Paid Parking	C, M, R	0.6-5
Minimum Parking	C, M, R	3
Pedestrian Pathway through Parking	C, M, R	0.5
Office/Mixed Use Proximate to Transit	C, M	0.2-1.5
Orientation toward Existing or Planned Transit, Bikeway, or Pedestrian Corridor	C, M, R	0.25-0.5
Residential Density ^b	R	0-6
Neighborhood Electric Vehicle Access	C, M, R	0.5-1.5
Urban Mixed Use ^c	M	1-9
Suburban Mixed Use	C, M, R	3
Other Mixed Use	M, R	1
Energy Star Roof	C, M, R	0.5
On-site Renewable Energy System	C, M, R	1
Exceed Title 24	C, M, R	1

GHG Reduction Measure ^a	Applicable Land Use	CO ₂ e Point Reduction
Solar Orientation	R	0.5
Non-Roof Surfaces	C, M, R	1
Green Roof	C, M, R	0.5
(C) Commercial, (M) Mixed Use, (R) Residential		
^a The SJVAPCD stresses that the BPS outlined above are still undergoing development through a public review and input process.		
^b Reduction potential dependent on the presence of existing or planned transit.		
^c Reduction potential dependent on the jobs-to-housing ratio.		

To reduce project-level GHG emissions, specific developments shall implement any combination of the measures outlined above to the extent practicable and feasible.

Level of Significance after Mitigation

This impact would be significant and unavoidable.

While the above menu of mitigation measures will not eliminate project GHG emissions, their inclusion in development project design can reduce GHG emissions levels to 29% of BAU if adequate measures can be included in the development project. In addition, future state actions taken pursuant to AB 32, including requirements for lower carbon content in motor vehicle fuels, improved vehicle mileage standards, and increased renewable energy in electricity generation, will also serve, in time, to reduce GHG emissions related to the Project even further. However, not all of the above measures are quantifiable, nor are they suitable for all types of development. It is therefore still unknown whether the GHG emissions produced by the various development projects that may occur within the project area as a result of redevelopment activity can be reduced to 29% of BAU. Thus, based on an abundance of caution, the Lead Agency concludes that GHG emissions from the Project are cumulatively considerable. Therefore, the project's cumulative impact on climate change after mitigation is considered *significant and unavoidable*.

Impact GHG-2. The Project would conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

The state has adopted several statutes and regulations for the purpose of reducing GHG emissions. The most comprehensive is AB 32, which is designed to reduce statewide GHG emissions to 1990 levels by 2020. Likewise, the City's air quality update (City of Fresno 2009), adopted in May 2009, includes Policy G-1B-a(2) whereby "after protocols and parameters for GHG analysis, inventorying, and benchmarking are ratified by the State of California and SJVAPCD, the City shall participate in GHG emission inventory and benchmarking efforts to evaluate the current status of emissions for the incorporated City and for City facilities and shall use this information to set appropriate targets for the City's proportionate responsibility to achieve GHG reductions in order to achieve compliance with AB 32 mandates to roll back GHG levels to 1990 levels." However, at the time of writing of this document, the City has not yet performed a GHG inventory or prepared an associated plan to achieve reduction targets.

The December 2009 GHG guidance adopted by SJVAPCD does not establish specific thresholds for land use or development projects. Rather, the guidelines outline a process for evaluating project-level GHG emissions. For projects that fail to comply with an approved GHG reduction plan, SJVAPCD recommends implementing BPS to reduce project-specific GHG emissions by at least 29% compared with BAU, consistent with GHG emissions-reduction goals of AB 32.

The Project will comply with the applicable guidance from SJVAPCD and, by inference, the AB 32 scoping plan by requiring future development projects to conform to the provisions of SJVAPCD's guidance. Accordingly, prior to the Agency's approval and issuance of development project-related entitlements, the Agency will require the Project to conform to that guidance.

Mitigation Measures

Mitigation Measure MM CC-2. Implement GHG Reduction Measures to Achieve at Least a 29% Reduction in GHG Emissions Relative to BAU.

The Agency will require project applicants to implement any combination of GHG reduction measures necessary to achieve a combined 29% reduction in emissions relative to BAU, consistent with the SJVAPCD guidelines. This requirement will likewise apply to the Agency for those projects that it will undertake directly.

Available BPS and their reduction potentials have been proposed by the SJVPACD and are summarized in MM CC-1. The developer, whether the Agency or another entity, may use other reduction measures and is not limited to those identified by the SJVPACD. The Bay Area Air Quality Management District (BAAQMD) has also identified several feasible mitigation measures as well as estimated their reduction potentials. The table below identifies available measures in addition to those presented by the SJVPACD. Note that the reduction potentials are still being reviewed by the BAAQMD and may change with improved guidance on quantifying mitigation. The reduction potentials are therefore provided as an estimate of what may be achieved through implementation of the measure.

GHG Reduction Measure^a	Sector	CO₂e Point Reduction
Free Transit Passes to Employees and Residents	Resident/Employee	25% transit
Employee Telecommuting	Mobile-Source Worker	1%–100%
Compressed Work Schedule	Mobile-Source Worker	1%–40%
Electrically Powered Landscape Equipment and Outdoor Electrical Outlets	Residential Landscape Emissions	Same % as land equipment emissions
Low-VOC Architectural Coatings	Building Operations	Same % as ROG emissions
Plant Shade Trees within 40 feet of the South Side or within 60 feet of the West Side of Properties	R/C Air-Conditioning Electricity	30%
Require Smart Meters or Programmable Thermostats	R/C Electricity or Natural Gas	10%
Meet Green Building Standards in All New Construction	R/C Electricity or Natural Gas	3%–17%
Install Solar Water Heaters	R/C Natural Gas Water Heating	70%
Install Tankless Water Heaters	R/C Natural Gas Water Heating	35%
HVAC Duct Sealing	R/C Air-Conditioning Electricity	30%
Provide Necessary Infrastructure and Treatment to Allow Use of 50% Greywater/ Recycled Water in Residential and Commercial Uses for Outdoor Irrigation	R/C Electricity (water consumption)	SFR: 37.5%, MFR: 29%, C: 6%

GHG Reduction Measure ^a	Sector	CO ₂ e Point Reduction
(C) Commercial, (R) Residential, (SFR) Single-Family Residential, (MFR) Multifamily Residential ^a Reduction potentials have not been scaled to project-specific emissions or resource sectors (e.g., natural gas, electricity). "Reduction potentials should be scaled proportionally to their sector of project-generated emissions. For example, if a measure would result in a 50% reduction in residential natural gas consumption but only 20% of a project's emissions are associated with natural gas consumption and only 10% of a project's emissions are from residential land uses, then the scaled reduction would equal 1% (50% * 20% * 10% = 1%)" (BAAQMD 2010).		

Level of Significance after Mitigation

Impacts would be less than significant.

Adoption of the measures described above, when fully incorporated into future development projects within the project area, would lessen GHG emissions from within the project area and achieve a reduction target of 29% below BAU, as stated in the SJVAPCD GHG guidance and, by inference, AB 32.

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Section 3D

Noise

Section 3D Noise

Introduction

This section discusses noise impacts that would result from potential increases in population and traffic, as well as construction activities, that could occur as an indirect result of the Project, with a focus on the noise impacts on surrounding land uses. The key sources of data and information used are listed as follows:

- Section 3.10 of the 1998 EIR (Redevelopment Agency of the City of Fresno 1998);
- Section H, Noise Element, of the City General Plan; and
- Section V.K. of the Draft Master Environmental Impact Report (MEIR) for the City General Plan (City of Fresno 2002b).

The IS (Appendix B) determined that, in the context of the impacts identified in the 1998 EIR, the Project does not result in a new or more severe impacts that would

- expose persons to or generate excessive groundborne vibration or groundborne noise levels, or
- be located in the vicinity of a private airstrip and expose people residing or working in the area to excessive noise levels.

No comments were received during the 30-day review period for these issues. Therefore, these issues are not addressed further in this section.

Environmental Setting

The environmental setting for noise describes the surrounding context of land uses, noise sources, and noise receptors.

Noise Terminology

Noise is generally defined as unwanted sound. It may be loud, unpleasant, unexpected, or undesired sound typically associated with human activity that interferes with or disrupts the normal noise-sensitive ongoing activities of others.

Although exposure to high noise levels has been demonstrated to cause hearing loss, the principal human response to environmental noise is annoyance. The response of individuals to similar noise events is diverse and influenced by the type of noise, the perceived importance and suitability of the noise in a particular setting, the time of day and type of activity during which the noise occurs, and the sensitivity of the individual.

Sound is a physical phenomenon consisting of minute vibrations that travel through a medium such as air that are sensed by the human ear. Sound is generally characterized by frequency and intensity. Frequency describes the sound's pitch and is measured in hertz (Hz); intensity describes the sound's level, volume, or loudness and is measured in decibels (dB). Sound frequency is a measure of how many times each second the crest of a sound pressure wave passes a fixed point. For example, when a drummer beats a drum, the skin of the drum vibrates at a certain number of times per second. Vibration of the drum skin at a rate of 100 times (or cycles) per second generates a sound pressure wave that is said to be oscillating at 100 Hz, and this pressure oscillation is perceived as a tonal pitch of 100 Hz. Sound frequencies between 20 Hz and 20,000 Hz are within the range of sensitivity of the best human ear.

Sound from a tuning fork contains a single frequency and may therefore be referred to as a *pure tone*. However, most sounds heard in the environment do not consist of a single frequency but rather a broad band of frequencies differing in individual sound levels. The method commonly used to quantify environmental sounds consists of evaluating all the frequencies of a sound according to a weighting system that reflects the fact that human hearing is less sensitive at low frequencies and extremely high frequencies than at the mid-range frequencies. This frequency-dependent modification is called A-weighting, and the decibel level measured is called the A-weighted sound level (dBA). In practice, the level of a noise source is conveniently measured using a sound level meter that includes a filter corresponding to the dBA curve.

Typical community sound levels are presented in Table 3D-1. A sound level of 0 dBA is approximately the threshold of human hearing and barely audible under extremely quiet listening conditions. Normal speech has a sound level of approximately 60 dBA. Sound levels above about 120 dBA begin to be felt inside the human ear as discomfort and eventually pain at still higher levels.

The minimum change in the sound level of individual events considered barely detectable in a community environment is approximately 3 dBA. A change of 5 dBA is considered readily perceptible, while a change in sound level of 10 dBA is usually perceived by the average person as a doubling (or halving) of the sound's loudness; this relation holds true for loud sounds and for quiet sounds. Because of the logarithmic scale of the decibel unit, dBA levels cannot be added or subtracted arithmetically and are somewhat cumbersome to handle mathematically. However, a simple rule of thumb is useful in dealing with sound levels: If a sound's physical intensity is doubled, the sound level increases by 3 dB, regardless of the initial sound level. For example, 60 dB plus 60 dB equals 63 dB, and 80 dB plus 80 dB equals 83 dB. As mentioned earlier, however, a perception of doubling of sound level requires about a 10 dB increase.

Table 3D-1. Typical Community Sound Levels

COMMON OUTDOOR ACTIVITIES	NOISE LEVEL dBA	COMMON INDOOR ACTIVITIES
Jet Fly-over at 300 m (1000 ft)	---110---	Rock Band
Gas Lawn Mower at 1 m (3 ft)	---100---	
	---90---	
Diesel Truck at 15 m (50 ft). at 80 km/hr (50 mph)	---80---	Food Blender at 1 m (3 ft) Garbage Disposal at 1 m (3 ft)
Noisy Urban Area, Daytime		
Gas Lawn Mower, 30 m (100 ft)	---70---	Vacuum Cleaner at 3 m (10 ft) Normal Speech at 1 m (3 ft)
Commercial Area		
Heavy Traffic at 90 m (300 ft)	---60---	
Quiet Urban Daytime	---50---	Large Business Office Dishwasher Next Room
Quiet Urban Nighttime	---40---	Theater, Large Conference Room (Background)
Quiet Suburban Nighttime	---30---	Library
Quiet Rural Nighttime	---20---	Bedroom at Night, Concert Hall (Background)
	---10---	Broadcast/Recording Studio
Lowest Threshold of Human Hearing	--0---	Lowest Threshold of Human Hearing

Source: Caltrans, 1998.

Although the A-weighted sound level may adequately indicate the level of environmental noise at any instant in time, community noise levels vary continuously. Most community noise includes a mixture of noise from distant sources that create a relatively steady background noise in which no particular source is identifiable. A single descriptor called the L_{eq} (equivalent sound level) is used to describe the average acoustical energy in a time-varying sound. L_{eq} is the energy-mean A-weighted sound level present or predicted to occur during a specified interval. It is the "equivalent" constant sound level that a given source would need to produce to equal the fluctuating level of measured sound. It is often desirable to also know the range of acoustic levels of the noise source being measured. This is accomplished through the L_{max} and L_{min} noise descriptors. They represent the root-mean-square maximum and minimum noise levels measured during the monitoring interval. The L_{min} value obtained for a particular monitoring location represents the quietest moment occurring during the measurement period and is often called the *acoustic floor* for that location. Likewise, the loudest momentary sound during the measurement is represented by L_{max} .

To describe the time-varying character of environmental noise, the statistical noise descriptors L_{10} , L_{50} , and L_{90} (or other percentile values) may be used. They are the noise levels equaled or exceeded 10, 50, and 90 percent, respectively, of the time during the measured interval. The percentile descriptors are most commonly found in nuisance noise ordinances to allow for different noise levels for various portions of an hour. For example, the L_{50} value would represent 30 minutes of an hour period, the L_{25} would be associated with 15 minutes of an hour, and so on.

Of particular interest in this analysis are other descriptors of noise that are commonly used to help determine noise/land use compatibility and predict an average community reaction to adverse effects of environmental noise, including traffic-generated and industrial noise. One of the most universal descriptors is the Day-Night Average Sound Level (DNL, or L_{dn}). As recommended by the state health department and state planning law, planning agencies use this descriptor. The L_{dn} noise metric represents a 24-hour period. It applies a time-weighted factor to penalize noise events that occur during nighttime hours when relaxation and sleep disturbance is of more concern than during daytime hours. Noise occurring during daytime hours, between 7:00 a.m. and 10:00 p.m., receives no penalty. Noise occurring between 10:00 p.m. and 7:00 a.m. is penalized by adding 10 dB to the measured level. In California, the use of the Community Noise Equivalent Level (CNEL) descriptor is permitted. CNEL is similar to L_{dn} except CNEL adds a 5 dB penalty for noise occurring during evening hours between 7:00 p.m. and 10:00 p.m. The L_{dn} and CNEL noise metrics are often used interchangeably for planning purposes.

Land Use, Noise Receivers, and Noise Sources

The project area consists of broad areas of commercial, industrial, open space, and multi- and single-family residential parcels. The following noise-sensitive land uses would be allowed:

- residential;
- transient lodging;
- hospitals and nursing homes;
- theaters and auditoriums;
- churches and meeting halls;
- office buildings; and
- schools and libraries.

Most noise within the project area is generated by traffic on city streets or freeways (City of Fresno 2002a) as well as aircraft flying to and from Fresno Chandler Downtown Airport. High-speed, limited-access freeways in the area include State Route (SR) 99, SR-41, and SR-180. Future noise levels near the major roadways and railroads were presented in the MEIR for the City General

Plan (City of Fresno 2002a). A future (2025) exterior CNEL exceeding 60 dBA (the City's threshold for maximum allowable exposure) is modeled to occur within 3,000–5,000 feet of SR-99, within 2,000 feet of SR-41, and within 200 feet of the gridded city streets. The MEIR also evaluated railroad noise (City of Fresno 2002a). Railroad lines are not present within the project area.

Three airports are within the Fresno city limits but outside the project area: Fresno Chandler Downtown Airport, Fresno Yosemite International Airport, and Sierra Sky Park. Fresno Chandler Downtown Airport is outside of but immediately adjacent to the project area. The City has adopted airport plans for each airport. The predicted 2025 noise contours are presented in the general plan.

Applicable Regulations

Many government agencies have established noise standards and guidelines to reduce or prevent adverse physiological and social effects associated with noise. Relevant governmental agency policies are summarized below.

Federal

Among other guidance, the Noise Control Act of 1972 directed EPA to develop noise level guidelines that protect the population from the adverse effects of environmental noise. EPA published a guideline (EPA 1974) containing recommendations of 55 dBA L_{dn} outdoors and 45 dBA L_{dn} indoors as goals for residential land uses. The agency is careful to stress that the recommendations contain a factor of safety and do not consider technical or economic feasibility issues; therefore, they should not be construed to be standards or regulations.

The Department of Housing and Urban Development (HUD) standards define L_{dn} levels below 65 dBA outdoors as acceptable for residential use. Outdoor levels of up to 75 dBA L_{dn} may be made acceptable through the use of insulation in buildings. Additionally, the Occupational Safety and Health Administration (OSHA) regulates the exposure of workers to occupational noise.

State

The pertinent State of California regulations are contained in the CCR. Title 24, Noise Insulation Standards, establishes the acceptable interior environmental noise level (45 dBA L_{dn}) for multifamily dwellings (may be extended by local legislative action to include single-family dwellings). Section 65302(f) of the CCR requires local land use planning jurisdictions to prepare a general plan. The noise element is a mandatory component of the general plan. It may include general community noise guidelines developed by the California Department of Health Services as well as specific planning guidelines for noise/land use

compatibility developed by the local jurisdiction. The state guidelines also recommend that the local jurisdiction consider adopting a local nuisance noise control ordinance. The California Department of Health Services (1976) developed guidelines pertaining to community noise acceptability for use by local agencies. Selected relevant levels are as follows (L_{dn} may be considered nearly equal to CNEL):

- CNEL below 60 dBA—normally acceptable for low-density residential use;
- CNEL of 55 to 70 dBA—conditionally acceptable for low-density residential use;
- CNEL below 65 dBA—normally acceptable for high-density residential use;
- CNEL of 60 to 70 dBA—conditionally acceptable for high-density residential, transient lodging, church, educational, and medical facilities; and
- CNEL below 70 dBA—normally acceptable for playgrounds and neighborhood parks.

“Normally acceptable” is defined as satisfactory for the specified land use, assuming that normal conventional construction is used in buildings. “Conditionally acceptable” may require some additional noise attenuation or special study. Under most of these land use categories, overlapping ranges of acceptability and unacceptability are presented, leaving some ambiguity in areas where noise levels fall within the overlapping range.

The State of California additionally regulates the noise emission levels of individual motor vehicles traveling on public roads, sets noise emission limits for certain off-road vehicles and watercraft, and sets required sound levels for light-rail transit vehicle warning signals. The extensive state regulations pertaining to worker noise exposure are, for the most part, applicable only to the construction phase of any project (e.g., the California Division of Occupational Safety and Health [Cal/OSHA] Occupational Noise Exposure Regulations [8 CCR, General Industrial Safety Orders, Article 105, Control of Noise Exposure, Section 5095, et seq.]), workers in a central plant and/or a maintenance facility, or workers involved in the use of landscape maintenance equipment or heavy machinery.

Local

City of Fresno Noise Ordinance and Noise Element

The City regulates noise by two methods: the City Noise Ordinance and the noise element of the City General Plan. The noise ordinance (specifically, Fresno Municipal Code Section 10-106, entitled “Prima Facie Violation”) states “Any noise or sound exceeding the ambient noise level at the property line of any person offended thereby, or, if a condominium or apartment house, within an adjoining living unit, by more than five decibels shall be deemed to be prima facie evidence of a violation.”

The noise element sets numerical allowable noise levels and specifies noise abatement methods. Numerical environmental analyses to support the noise element were conducted as part of the MEIR for the City General Plan (City of Fresno 2002a). Details on the noise element are provided below.

The noise element is described in Section H of the general plan (City of Fresno 2002a). This latest noise element was enacted after the 1998 EIR was certified. The introductory sections of the noise element include the following general direction for the new element:

Longstanding City policy for stationary sources has been to require enclosure, muffling, and/or extra setbacks so that adjacent properties are not exposed to excessive noise levels. Nuisance noise abatement has been accomplished through the City Noise Ordinance. Noise from transportation facilities has been controlled by distancing sensitive uses from these facilities and by use of sound-proofing construction measures such as masonry walls and sealed buildings. Title 24 energy conservation requirements (referenced in the Resource Conservation Element/Energy Conservation topic) have also greatly helped mitigate indoor noise levels by requiring dual-pane windows and additional insulation in buildings. Federal Aviation Administration regulations for airports have supported planning and zoning designations, which have kept sensitive uses away from the noise attendant upon flight paths.

Noise Element's Relationship to General Plan Goals

General plan goals that relate to noise increases and their control are outlined below.

Goal 1: Enhance the quality of life for the citizens of Fresno and plan for the projected population within the moderately expanded Fresno urban boundary in a manner that will respect physical, environmental, fiscal, economic, and social issues.

Goal 14: Protect and improve public health and safety.

H-1. OBJECTIVE: Protect the citizens of the City from the harmful and annoying effects of exposure to excessive noise.

H-1-a. Policy: New noise-sensitive land uses affected by existing or projected future transportation noise sources shall include mitigation measures so that resulting noise levels do not exceed the standards shown in the table below.

Table 3D-2. Maximum Allowable Exposure (transportation sources)

Land Use	Outdoor Activity Areas L_{dn} dBA	Interior Spaces	
		L_{dn} dBA	1-hour L_{eq} dBA
Residential	60	45	
Transient Lodging	60	45	
Hospitals, Nursing Homes	60	45	
Theaters, Auditoriums, Music Halls			35
Churches, Meeting Halls	60		45
Office Buildings			45
Schools, Libraries, Museums			45

H-1-b Policy. For purposes of City analyses of noise impacts and for determining appropriate noise mitigation, a significant increase in ambient noise levels is assumed if a project causes ambient noise levels to exceed the following:

- The ambient level is less than 60 dBA L_{dn} and the project increases noise levels by 5 dBA L_{dn} or more,
- The ambient level is 60 to 65 dBA L_{dn} and the project increases noise levels by 3 dBA L_{dn} or more, and
- The ambient level exceeds 65 dBA L_{dn} and the project increases noise levels by 1.5 dBA L_{dn} or more

H-1-c Policy. The City shall review new public and private development proposals to determine conformance with the policies of the noise element.

H-1-d. Policy: The City shall require an acoustical analysis in those cases where a project potentially threatens to expose existing or proposed noise-sensitive land uses to excessive noise levels. The presumption of potentially excessive noise levels shall be based on the proximity of a new noise-sensitive use to known noise sources or the staff's professional judgment that a potential for adverse noise impacts exists. Acoustical analysis shall be required early in the review process so that noise mitigation may be included in the project design. For development not subject to environmental review, the requirements for an acoustical analysis shall be implemented prior to the issuance of building permits. The requirements for the content of an acoustical analysis are established by the planning and development department in conjunction with environmental health agencies.

H-1-e. Policy: The City shall develop and employ procedures to ensure that noise mitigation measures required pursuant to an acoustical analysis are implemented in the development review and building permit process.

H-1-f. Policy: The City shall develop and employ procedures to monitor compliance with the policies of the noise element after completion of projects where noise mitigation measures have been required.

H-1-g. Policy: The City shall enforce the State Noise Insulation Standards (California Title 24) and Chapter 35 of the Uniform Building Code (UBC) concerning interior noise exposure for multifamily housing, hotels, and motels.

H-1-h. Policy: The City shall request the highway patrol, the sheriff, and police department to actively enforce the California Vehicle Code sections relating to adequate vehicle muffles and modified exhaust systems and sound systems in vehicles.

H-1-i. Policy: The City shall review and update the noise element and the noise ordinance to ensure that noise exposure information and specific policies and ordinances are consistent with changing conditions within the City and with noise control guidelines or policies enacted after the adoption of this element.

H-1-j. Policy: Noise created by new transportation noise sources, including roadway improvement projects, shall be mitigated so that resulting noise levels do not exceed the adopted standards at noise-sensitive land uses.

H-1-k. Policy: The noise-sensitive land uses affected by stationary sources shall include mitigation measures so that resulting noise levels do not exceed the standards shown in the table below.

Table 3D-3. Maximum Allowable Noise Exposure (stationary noise sources)

Noise Parameter	Daytime (7 a.m. to 10 p.m.)	Nighttime (10 p.m. to 7 a.m.)
Hourly Equivalent Sound Level (L_{eq} , dBA)	50	45
Maximum Sound Level (L_{max} , dBA)	70	65

Note:

Noise levels apply at outdoor activity areas. Where the location of an outdoor activity area is unknown or not applicable, the noise exposure standard shall be applied at the property line of the receiving land use. When ambient noise levels exceed the levels in this table, mitigation shall be required only to limit noise to the ambient plus 5 dBA.

H-1-l. Policy: Noise created by new stationary noise sources or existing stationary noise sources that undergo modifications that may increase noise levels shall be mitigated so as not to exceed the noise level standards of the above table at noise-sensitive land uses.

H-1-m. Policy: As a guideline, noise barriers (walls, earth berms, or berm/wall combinations) shall not exceed 15 feet in height. The planning and development director, on a case-by-case basis, may allow noise barrier heights that differ from this guideline. However, resulting noise levels must satisfy the maximum allowable noise exposure standards.

Impacts and Mitigation

Methodology

CEQA requires determination of the significance of noise impacts associated with proposed projects. Noise generated by the Project was assessed against the CEQA noise-related requirements, as specified by the noise element. The original 1998 EIR for the Project did not present quantitative analyses of noise sources. The noise element was prepared following completion of the original 1998 EIR. The MEIR for the City General Plan included quantitative forecasts of 2025 noise levels within the project area caused by local traffic, railroads, and airports.

The process of assessing the significance of noise impacts associated with the Project first involved identifying the applicable thresholds at which significant impacts on noise-sensitive uses would occur. Next, previously published forecasts of future noise levels associated with project-related activities (as presented in the MEIR) were evaluated and compared with the significance thresholds. The quantitative noise modeling for traffic and airports done for the MEIR developed CNEL noise contours, which were compared with the L_{dn} significance thresholds specified by the noise element, assuming CNEL and L_{dn} noise levels are nearly equal. Details regarding assumptions and methods used to predict noise levels are discussed under each impact type.

Significance Criteria

Based on Appendix G of the State CEQA Guidelines and the IS analysis (see Appendix B), the Project would have a significant impact related to noise if it would

- expose persons to or generate noise levels in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies. For this analysis the term “in excess of standards” means noise levels higher than the allowable interior or exterior limits specified by the noise element, as listed in Table 3D-2 and Table 3D-3;
- result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the Project;
- result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the Project; or
- be located within an airport land use plan area or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport and expose people residing or working in the project area to excessive noise levels.

Project Impacts

Impact NOI-1. The Project would expose persons to or generate noise levels in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies.

The impacts related to noise within the project area are discussed separately for construction and operational effects below.

Construction

As described in the IS (see Appendix B), future construction noise from development would be similar to the construction noise impacts that were evaluated in the 1998 EIR. Therefore, the construction noise impacts would be unchanged compared with 1998.

Temporary daytime construction noise could occur at various locations in the project area throughout the buildout period. When new buildings are constructed, commercial buildings and dwellings near the new construction site could be subjected to temporary, localized noise impacts. Construction activity would be required to adhere to applicable noise control standards as specified by the noise element.

The 1998 EIR concluded that construction noise impacts would be less than significant because the noise emissions would be temporary and localized. No substantive changes to the proposed action have occurred during the time since certification of the 1998 EIR. Therefore, impacts related to temporary construction noise are still considered less than significant.

Operation

Stationary Noise Sources Inside the Project Area

Much of the redevelopment area would be zoned either Residential or Commercial Mixed-Use Level 2, which encourages appropriate multifamily residential structures within commercial mixed-use areas. Stationary noise sources could be included as part of the residential, commercial, and light industrial facilities constructed in those areas. Typical stationary sources could include heating and ventilation equipment, loading docks, and industrial process equipment. The noise element specifies allowable noise levels at the property line of each land use type. All proposed future residential, commercial, and industrial facilities would be required to install appropriate noise abatement measures (silencers, noise barriers, etc.) to satisfy the noise element's allowable noise levels. Adherence to the noise element would ensure that the daytime and nighttime noise levels would satisfy the allowable limits for each land use

category. The 1998 EIR concluded that the noise impacts from stationary sources would be less than significant. No substantive changes to the proposed action have occurred during the time since certification of the 1998 EIR. Therefore, impacts related to stationary noise sources are still considered less than significant.

Traffic-Related Impacts Inside the Project Area

The 1998 EIR did not include quantitative analysis of noise generated by traffic, but the MEIR for the City General Plan concluded that the noise impacts at residential and commercial buildings within the project area would be significant and unavoidable. The MEIR included quantitative forecasts of 2025 noise contours for areas adjacent to freeways and major arterials within the City.

In addition to the 2025 traffic forecasts, the traffic noise analysis in the MEIR used the Caltrans Sound 32 Vehicular Traffic Noise Model to predict CNEL noise contours parallel to each major roadway. The traffic modeling assumed reasonable worst-case conditions: flat terrain, acoustically “hard” ground, and no barrier attenuation provided by structures between the road and the receiver.

According to the noise element, exterior noise levels that exceed 60 dBA L_{dn} trigger a significant noise impact at several land use categories. Figure 3D-1 shows the modeled setback distances to the 60 dBA CNEL contour. As shown in the figure, parts of the project area along major arterial roadways and freeways would experience traffic noise levels that would exceed 60 dBA CNEL. Therefore, noise mitigation would be required for new residential or commercial development within these areas.

The 2025 traffic noise levels adjacent to some freeways and arterials would exceed 70 dBA CNEL, the exterior noise level above which most standard noise abatement measures are incapable of reducing interior and exterior noise levels to levels that would satisfy the allowable noise limits specified by the noise element. Figure 3D-2 shows the setback distances to the 70 dBA CNEL contours, which indicate that it might not be feasible to mitigate for the noise levels fully. According to the 70 dBA CNEL contours, the areas adjacent to SR-99, SR-41, and Elm Avenue in the project area would have traffic noise levels that would exceed 70 dBA CNEL.

Based on the above analysis, traffic noise within portions of the project area near freeways and Elm Avenue would be significant and unavoidable, even with incorporation of mitigation measure NOI-1.

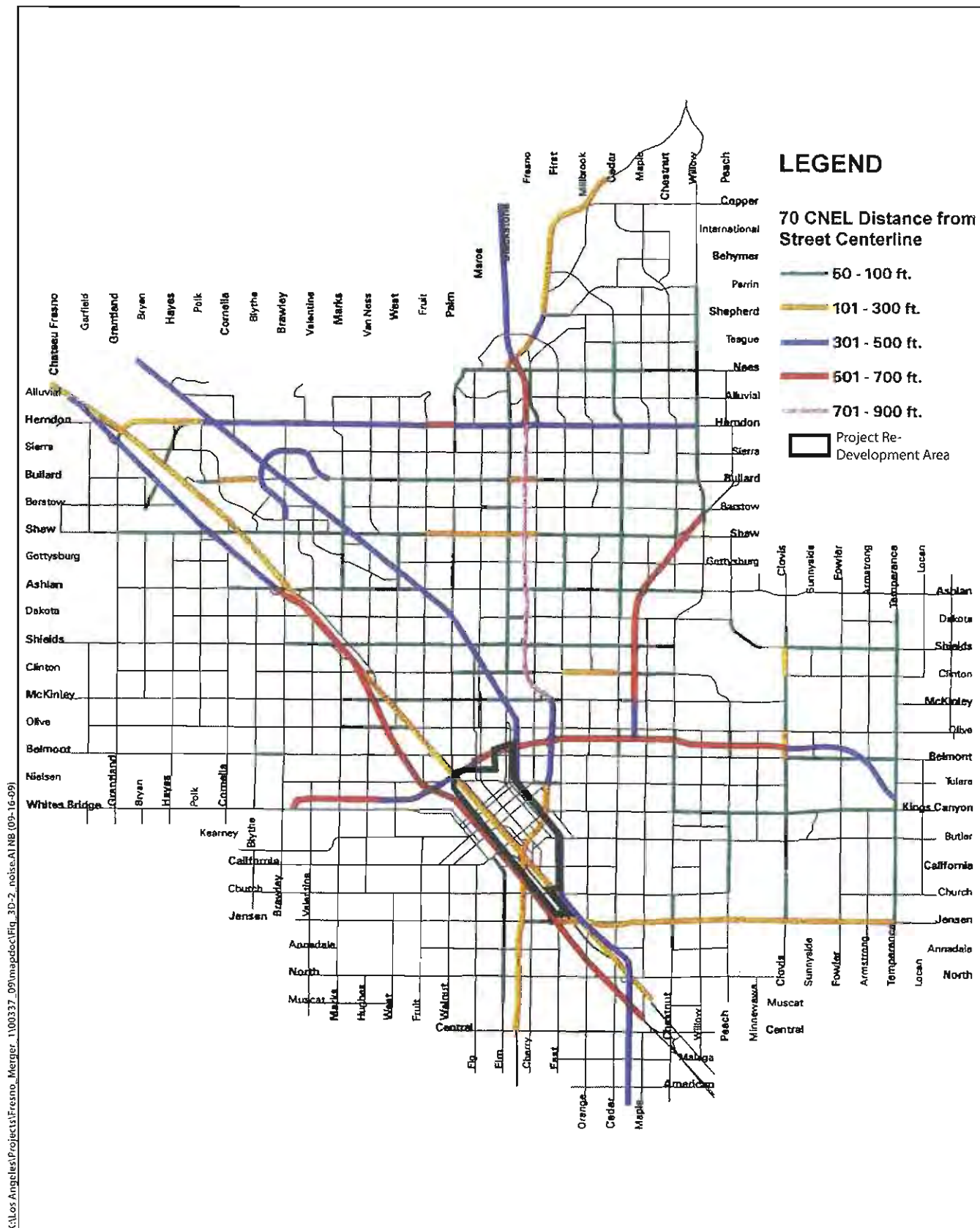
Indirect Traffic Noise Impacts Outside the Redevelopment Area

Businesses and dwellings inside the project area would generate project-related regional traffic, which would contribute slightly to traffic noise at sensitive land uses near the City’s freeways as well as arterials outside the project area. However, it is unlikely that the relative contribution of future project-related

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Figure 3D-1
60dBA Threshold areas for required noise evaluation



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Source: Draft MEIR, 2025 Fresno General Plan

Figure 3D-2
Areas where noise impacts may not be fully mitigated

traffic would be high enough to result in a significant indirect traffic noise increase, as defined by the noise element. If the ambient traffic noise (without the Project) exceeds 60 dBA L_{dn} , then the noise element defines a significant impact as a noise increase of 3 dBA L_{dn} . Because of the logarithmic nature of the dBA scale, traffic volumes on any given roadway would have to double to cause a 3 dBA noise increase. Thus, to cause a 3 dBA indirect noise increase, project-related traffic would have to contribute 50% of the average daily traffic (ADT). That is unlikely to occur. Future full-buildout vehicle trip generation caused by land uses inside the project area would be a small fraction of citywide totals. Therefore, it is unlikely that project-related traffic would contribute more than 50% of the ADT on any public roads outside the redevelopment area, and it is unlikely that project-related traffic would cause an indirect noise increase that would exceed 3 dBA. Based on this analysis, it is concluded that the indirect noise impacts on roadways outside the project area would be less than significant.

Airport Noise

A detailed analysis of airport noise is described later in this section under Impact NOI-4. Three airports are within the Fresno city limits but outside the project area: Fresno-Chandler Downtown Airport, Fresno Yosemite International Airport, and Sierra Sky Park. Fresno Chandler Downtown Airport is outside but immediately adjacent to the project area. The City has adopted airport plans for each airport, and predicted 2025 future noise contours for each airport are presented in the general plan. Predictive modeling of future noise levels shows that the 60 dBA CNEL contour for each airport, which defines the noise level at which noise abatement must be considered, is well outside the project area for Fresno Yosemite International Airport and Sierra Sky Park. Most of the project area is outside the 60 dBA CNEL contour for Fresno-Chandler Downtown Airport, except for two small areas adjacent to the airport. The first area is east of Thorne Avenue between Stanislaus Street and Oleander Avenue; the second area is east of Fruit Avenue, south of Kearney Boulevard, west of Thorne Avenue, and north of Strother Avenue. These areas are already developed with existing residential uses. The Project would not change these conditions or increase development in these areas per the policies in the airport specific plan. Therefore, the noise impacts caused by airport operations would be less than significant.

Conclusion

Impacts of the Project are cumulative and largely related to traffic noise associated with projected population growth through 2025, which would occur with or without the Project.

The MEIR for the City General Plan concluded that, with mitigation, direct impacts within the City would be significant and unavoidable. The impacts on facilities constructed near freeways and railroads would be significant.

Forecast traffic noise levels for 2025 would exceed the 60 dBA CNEL (or 60 dBA L_{dn}) significance threshold in parts of the project area adjacent to arterial streets and freeways. The MEIR concluded that 2025 traffic noise levels adjacent to some freeways and arterials within the project area would exceed 70 dBA CNEL, the exterior noise level above which most standard noise abatement measures are incapable of reducing interior and exterior noise levels to levels that would satisfy the allowable noise limits specified by the noise element. The 1998 EIR had concluded that noise impacts would be less than significant. Therefore, pursuant to State CEQA Guidelines Section 15162, as part of the Project, a more severe noise impact would result that was not already disclosed in the 1998 EIR.

Mitigation Measures

Mitigation Measure NOI-1. Adhere to Noise Element Mitigation Requirements

In accordance with the noise element, all future development that includes stationary noise sources will be required to conduct an acoustical study and install noise controls so that exterior and interior noise levels at nearby noise-sensitive properties adhere to the allowable noise limits listed in Table 3D-3. A wide range of noise control measures for stationary equipment is available:

- purchase low-noise equipment,
- install noise silencers on mechanical equipment,
- use site structures to provide natural shielding, and
- install noise barriers.

In accordance with the noise element, all future development in the project area where the forecast future exterior noise levels would exceed 60 dBA CNEL (as defined by Figure 3D-1) must conduct an acoustical study and provide noise control measures to reduce indoor and outdoor noise levels to the allowable limits specified in Table 3D-2 and Table 3D-3. At a minimum, structures must be designed to California Title 24 acoustical insulation requirements. The noise element describes a wide range of additional noise abatement measures that can be considered:

- maximizing the distance between sensitive receptors and local noise sources through proper site planning;
- placing non-sensitive land uses (e.g., parking lots) so as to provide a buffer zone;
- orienting outdoor use areas (e.g., balconies) toward the sides of buildings and away from noise sources;
- arranging site buildings to shield noise sensitive areas within the facility;
- constructing sound barrier walls along freeways and heavily traveled arterials, if feasible, based on local site conditions; and
- installing additional indoor noise insulation, beyond the minimum requirements specified by the building codes.

Level of Significance after Mitigation

Impacts would be significant and unavoidable.

Impact NOI-2. The Project would result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the Project.

The IS (see Appendix B) concluded that the level of impact would be potentially significant. The impact would be the same as described under Impact NOI-1. The Project would expose existing and new facilities within the project area to the following noise sources: noise from temporary construction, noise from stationary equipment, traffic noise, and airport noise. Similar to Impact NOI-1, impacts from temporary construction, stationary equipment, and airports would be less than significant. However, similar to Impact NOI-1, the impacts on facilities constructed near freeways and Elm Avenue would be significant and unavoidable.

The MEIR for the City General Plan concluded that, with mitigation, direct impacts within the City would be significant and unavoidable. The impacts on facilities constructed near freeways and Elm Avenue would be significant. Forecast traffic noise levels for 2025 would exceed the 60 dBA CNEL (or 60 dBA L_{dn}) significance threshold in portions of the project area adjacent to freeways or major arterials. The MEIR concluded that 2025 traffic noise levels adjacent to some freeways and arterials within the project area would exceed 70 dBA CNEL, the exterior noise level above which most standard noise abatement measures are incapable of reducing interior and exterior noise levels to levels that would satisfy the allowable noise limits specified by the noise element. The 1998 EIR had concluded that noise impacts would be less than significant. Therefore, pursuant to State CEQA Guidelines Section 15162, as part of the Project, a more severe noise impact would result that was not already disclosed in the 1998 EIR.

Mitigation Measures

Implement mitigation measure NOI-1.

Level of Significance after Mitigation

Impacts would be significant and unavoidable.

Impact NOI-3. The Project would result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the Project.

The IS (see Appendix B) concluded that the level of impact would be potentially significant. The impact would be the same as described under Impact NOI-1. The Project would expose existing and new facilities within the redevelopment area to the following temporary or periodic noise sources: noise from temporary construction, traffic noise, and airport noise. Similar to Impact NOI-1, the impacts from temporary construction and airports would be less than significant. Construction noise, which was evaluated in the 1998 EIR, would be temporary and localized. Conditions have not changed since the 1998 EIR was certified. As described under Impact NOI-1, most of the project area is outside the 60 dBA CNEL contour for the Fresno-Chandler Downtown Airport, except for two small areas adjacent to the airport. These areas are already developed with existing residential uses. The Project would not change these conditions or increase development in these areas per the airport specific plan. Therefore, airport noise impacts would be less than significant. However, similar to Impact NOI-1, impacts on facilities constructed near freeways and Elm Avenue would be significant. Forecast traffic and airport noise levels for 2025 would exceed the 60 dBA CNEL (or 60 dBA L_{dn}) significance threshold in areas adjacent to freeways and Elm Avenue in the project area.

The MEIR concluded that, with mitigation, direct impacts within the City would be significant and unavoidable. The impacts on facilities constructed near freeways and major arterials would be significant. Forecast traffic noise levels for 2025 would exceed the 60 dBA CNEL significance threshold in areas adjacent to freeways and Elm Avenue in the project area. The MEIR concluded that 2025 traffic noise levels adjacent to some freeways and arterials within the project area would exceed 70 dBA CNEL, the exterior noise level above which most standard noise abatement measures are incapable of reducing interior and exterior noise levels to levels that would satisfy the allowable noise limits specified by the noise element. The 1998 EIR had concluded that direct noise impacts would be less than significant. Therefore, pursuant to State CEQA Guidelines Section 15162, as part of the Project, a more severe noise impact would result that was not already disclosed in the 1998 EIR.

Mitigation Measures

Implement mitigation measure NOI-1.

Level of Significance after Mitigation

Impacts would be significant and unavoidable.

Impact NOI-4. The Project would be located within 2 miles of a public airport or public use airport and would expose people residing and working in the project area to excessive noise levels.

The 1998 EIR for the Project did not numerically evaluate potential noise impacts caused by the three airports within Fresno city limits. The analysis presented below, which was included in the noise element, demonstrates that future aircraft operations are not expected to cause excessive noise levels at any location within the proposed redevelopment area, other than at two small areas adjacent to Fresno-Chandler Downtown Airport where the existing residences would be exposed to the airport noise with or without the Project.

Fresno Yosemite International Airport

This airport handles commercial jet aircraft and military aircraft operated by the Air National Guard. The center of the runway is approximately 6 miles from the eastern side of the project area. The forecast future (2025) 60 dBA CNEL contour, which, according to the noise element, defines the allowable exterior noise level at a residential area, is approximately 4 miles from the project area. Therefore, it is concluded that future operations at this airport would not cause excessive noise within the project area.

Fresno-Chandler Downtown Airport

This airport handles private and commercial propeller aircraft. The center of the runway is less than a 0.25 mile from the northwestern portion of the redevelopment area. As described under Impact NOI-1, most of the project area is outside the 60 dBA CNEL contour for the Fresno-Chandler Downtown Airport, except for two small areas adjacent to the airport. The first area is east of Thorne Avenue between Stanislaus Street and Oleander Avenue; the second area is east of Fruit Avenue, south of Kearney Boulevard, west of Thorne Avenue, and north of Strother Avenue. These areas are already developed with existing residential uses. The Project would not change these conditions or increase development in these areas per the airport specific plan. Therefore, it is concluded that future operations at this airport would not cause excessive noise within the project area.

Sierra Sky Park

Operations at this private airport are limited to small propeller aircraft. The center of the runway is approximately 8 miles from the project area. The forecast future (2025) 60 dBA CNEL contour, which, according to the noise element, defines the allowable exterior noise level at a residential area, is approximately

7 miles from the closest boundary of the project area. Therefore, it is concluded that future operations at this airport would not cause excessive noise within the project area.

Conclusion

The 1998 EIR concluded that noise impacts (including airport-related noise) as a result of the Project would be less than significant. Therefore, pursuant to State CEQA Guidelines Section 15162, no new or more severe impacts would result from the Project that were not already disclosed in the 1998 EIR.

Mitigation Measures

No mitigation is required.

Level of Significance after Mitigation

Impacts would be less than significant.

Chapter 4

Cumulative Impact Analysis

Chapter 4

Cumulative Impact Analysis

Introduction and Overview

The State CEQA Guidelines (Section 15130) require cumulative impacts to be analyzed in an EIR (including an SEIR) when the resulting impacts are cumulatively considerable and, therefore, potentially significant. The term “cumulative impact” refers to the effect of project impacts combined with the impacts of past, present, and reasonably foreseeable future projects. The discussion of cumulative impacts must reflect the severity of the impacts as well as the likelihood of their occurrence. However, the discussion does not need to be as detailed as the discussion of environmental impacts attributable to a proposed project alone. Furthermore, the discussion should remain practical and reasonable in considering other projects and related cumulatively considerable impacts. According to Section 15355 of the State CEQA Guidelines:

“Cumulative impacts” refer to two or more individual effects that, when considered together, are considerable or compound or increase other environmental impacts.

- (a) The individual effects may be changes resulting from a single project or a number of separate projects.
- (b) The cumulative impact from several projects is the change in the environment that results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.

Furthermore, according to State CEQA Guidelines Section 15130 (a)(1):

As defined in Section 15355, a “cumulative impact” consists of an impact that is created as a result of the combination of the project evaluated in the EIR together with other projects causing related impacts. An EIR should not discuss impacts that do not result in part from the project evaluated in the EIR.

In addition, as stated in the State CEQA Guidelines, Section 15064(i)(5), it should be noted that

[t]he mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed project's incremental effects are cumulatively considerable.

Therefore, the cumulative impacts discussion in an EIR (or SEIR) focuses on whether the impacts of a proposed project are cumulatively considerable within the context of combined impacts caused by past, present, or future projects. The cumulative impact scenario considers other projects proposed within the area that have the potential to contribute to cumulatively considerable impacts.

Cumulative Impact Assessment Methodology

To determine the significance of a cumulative impact, as well as whether a project's incremental contribution to a cumulative impact is considerable, either the project list or the projection approach can be used. This Draft SEIR uses the projection approach, which bases the cumulative impact analysis on general growth projections contained in the general plan. In using this approach, a lead agency relies on the general plan to evaluate regional conditions that contribute to cumulative impacts.

CEQA focuses on whether a project's incremental contribution to a cumulative significant effect is "considerable." Analysis of a project's contribution is not necessary when a cumulative significant effect has not been identified for a given environmental resource area. The following environmental resource areas were eliminated through the IS (Appendix B):

- Aesthetics;
- Agricultural and Forestry Resources;
- Biological Resources;
- Geology and Soils;
- Hazards and Hazardous Materials;
- Hydrology and Water Quality;
- Land Use and Planning;
- Mineral Resources;
- Population and Housing;
- Public Services;
- Recreation; and
- Transportation and Traffic.

The IS determined that either no cumulatively significant impact would occur related to a particular environmental resource area or that the Project would not result in a new or more severe cumulative impact that was not already disclosed in the 1998 EIR.

The City received comments during the 30-day public scoping period for the NOP, and responses were prepared for each comment letter (see Response to NOP Comments in Chapter 3, Environmental Analysis, for more information). The responses concluded that the environmental resource areas listed above would not need to be addressed further in this Draft SEIR. Therefore, a cumulative impact analysis for these environmental resource areas is not included in this chapter.

Cumulative Baseline and Projected Growth

According to the general plan, the population of the City is expected to increase to 790,955 by 2025, and 61% of Fresno County's total population will live within the metropolitan Fresno area. Table 4-1 shows the general plan population projections through 2025.

Table 4-1. Metropolitan Fresno Area Population Projections

2000	2005	2010	2015	2020	2025
482,495	544,187	605,879	667,571	729,263	790,955
Source: City of Fresno, 2002a.					

As seen in Table 4-1, Fresno is a rapidly growing city. It is anticipated that the City will grow at an annual rate of approximately 1.9%. While this projection pre-dates the current national recession, Fresno is expected to grow as projected once the economy fully recovers.

The general plan provides population estimates for community plan areas. The project area is almost entirely within the Edison Community Plan area. Table 4-2 shows the population projections for the area.

Table 4-2. General Plan Population Projections for the Edison Community Plan Area

Community Plan Area	Population (2000)	Population (2025)	Population Increase
Edison	24,728	68,014	+43,286
Source: City of Fresno, 2002a.			

Although the Fresno area is currently experiencing the same economic downturn as the rest of the nation, it is clear from metropolitan Fresno and community plan area projections that the City and project area will experience robust growth through 2025 when the economy makes its expected recovery.

Cumulative Impact Analysis

Cumulative impact scenarios differ among environmental resource areas, depending on the area that would be affected. For example, an analysis of cumulative impacts related to air quality would consider conditions in the San Joaquin Valley Air Basin, while an analysis of cumulative impacts related to noise would be more local in nature and therefore consider land use types in the metropolitan Fresno area that could be affected by cumulative projects.

Air Quality

Although incorporation of mitigation measures AQ-1 and AQ-2 (see Section 3A, Air Quality) and full compliance with all SJVAPCD rules and regulations would certainly temper air quality impacts that would result from full buildout of the project area, these air quality impacts would not be reduced to a less-than-significant level. The region is in violation of the federal ozone standard as well as PM2.5 standards, and even small emissions from future development that occurs as a result of the Project could exacerbate this violation. Therefore, the cumulative air quality impacts are significant and unavoidable.

The 1998 EIR concluded that cumulative air quality impacts would be significant and unavoidable for reasons similar to those stated in this Draft SEIR. Therefore, pursuant to State CEQA Guidelines Section 15162, as part of the Project, a new or more severe cumulative air quality impact would not result that was not already disclosed in the 1998 EIR.

Cultural Resources

The current Draft SEIR includes revisions to the mitigation measures identified in the 1998 EIR to add clarity and improve their ability to reduce significant impacts on cultural resources (particularly historic districts) within the project area. However, even with incorporation of the mitigation outlined in this Draft SEIR, cultural resource impacts would still occur as a result of site acquisition and clearance; indirect impacts related to differences in scale, bulk and mass, architectural style, and color; and loss of continuity or association between a historic resource and its surroundings. Therefore, the project would contribute to cumulatively considerable cultural resource impacts that would be significant and unavoidable.

The 1998 EIR concluded that cumulative cultural resource impacts would be significant and unavoidable. Therefore, pursuant to State CEQA Guidelines Section 15162, as part of the Project, a new or more severe cumulative cultural resources impact would not result that was not already disclosed in the 1998 EIR.

Greenhouse Gas Emissions

Mitigation measures CC-1 and CC-2 (see Section 3C, Greenhouse Gas Emissions), when fully incorporated into future development projects within the project area, would lessen GHG emissions and possibly even achieve the target set out in the SJVAPCD CEQA guidance of reducing emissions to a level 29% below business-as-usual conditions. Without a quantitative analysis of GHG emissions from the specific construction activities and operations proposed, it is not possible to know if the aforementioned measures would indeed achieve that target. Quantitative analysis is not possible because the Project would not result in full buildout of the general plan within the project area; rather, it would support redevelopment projects on select sites. The sites and the extent of the redevelopment projects are not known at this time. Nevertheless, for the Project to achieve a broad reduction goal of 29% below business-as-usual conditions, which is in line with the state's goals, action is also required from many third parties, including the California Air Resources Board, EPA, and SJVAPCD. This includes adopting and fully implementing GHG reduction requirements, which would be applicable to numerous sectors. Based on an abundance of caution, the Lead Agency concludes that GHG emissions from the Project would be cumulatively considerable.

Under CEQA, the consideration of climate change and GHG emissions was not a requirement in 1998; therefore, impacts related to climate change and GHG emissions were not analyzed in the 1998 EIR. Therefore, pursuant to State CEQA Guidelines Section 15162, as part of the Project, a new cumulative climate change/GHG emissions impact would result that was not already disclosed in the 1998 EIR.

Noise

The noise analysis in Section 3D, Noise, is inherently a cumulative analysis. The analysis of noise from stationary equipment considers the likelihood of new commercial and light industrial facilities being constructed near dwellings within the project area. The traffic noise and airport noise analyses prepared for the general plan (City of Fresno 2002a) forecast 2025 traffic volume increases based on anticipated future buildout of the region.

The cumulative impact at buildings inside the project area, similar to Impact NOI-1, would be significant. Future cumulative increases in traffic would cause excessive future noise levels within portions of the project area adjacent to freeways and Elm Avenue.

Although indirect impacts outside the project area (caused by project-related traffic generated within the project area) would be less than significant, cumulative impacts outside the project area would be significant. Even if project-related traffic is ignored, regional traffic volumes would be high enough to cause excessive noise levels at homes close to freeways, major arterials, and rail lines. Therefore, cumulative noise impacts from the Project would be cumulatively considerable.

The 1998 EIR concluded that cumulative noise impacts would be less than significant. Therefore, pursuant to State CEQA Guidelines Section 15162, as part of the Project, a more severe cumulative noise impact would result that was not already disclosed in the 1998 EIR.

Chapter 5

Alternatives Analysis

Chapter 5

Alternatives Analysis

Introduction

CEQA requires an EIR (including an SEIR) to identify and evaluate a reasonable range of alternatives to a project that could feasibly avoid or lessen any significant environmental impacts while substantially achieving the basic objectives of the project. An EIR should also evaluate the comparative merits of the alternatives. This chapter describes potential alternatives to the Project that were considered, identifies alternatives that were eliminated from further consideration and the reasons for their rejection, and analyzes several alternatives in comparison to the potential environmental impacts associated with the Project.

Key provisions of the State CEQA Guidelines Section 15126.6 pertaining to the alternatives analysis are summarized below.

- The discussion of alternatives shall focus on alternatives to a project or its location that are capable of avoiding or substantially lessening any significant effects of the project, even if those alternatives would impede to some degree the attainment of the project objectives or would be more costly.
- The “no project” alternative shall be evaluated along with its impacts. The “no project” analysis shall discuss the existing conditions at the time the notice of preparation was published as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services.
- The range of alternatives required in an EIR is governed by a “rule of reason”; therefore, the EIR must evaluate only those alternatives necessary to permit a reasoned choice. Alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project.
- For alternative locations, only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR.
- An EIR need not consider an alternative whose effects cannot be reasonably ascertained and whose implementation is remote and speculative.

Among the factors that may be taken into account when addressing the feasibility of alternatives (as described in State CEQA Guidelines Section 15126.6[f][1]) are environmental impacts, site suitability, economic viability, social and political acceptability, technological capacity, availability of infrastructure, general plan consistency, regulatory limitations, jurisdictional boundaries, and whether the applicant could reasonably acquire, control, or otherwise have access to the alternative site.

In this case, general plan consistency is a key consideration when determining feasibility. The Agency does not propose any general plan amendments in association with the Project. Amending the general plan is a separate process and outside of the objectives of the Project.

Relationship to Project Objectives

An EIR (or SEIR) need not consider an alternative whose effects cannot be reasonably identified and whose implementation is remote or speculative or would be unable to achieve the basic project objectives. The major objectives of the Project are as follows:

- The elimination and prevention of the spread of blight and deterioration throughout the project area through redevelopment activities;
- The promotion of new and continuing private sector and government agency investment within the project area to prevent the loss of economic activity and to facilitate such activity;
- The retention and expansion of existing businesses where possible through redevelopment and rehabilitation activities as well as efforts to encourage owners, businesses, and public agencies to cooperate and participate in revitalization of the project area;
- The expansion and improvement of the City's housing supply (inside and outside the project area), including opportunities for low- and moderate-income families and households; and
- The elimination or amelioration of deficiencies, such as substandard vehicular circulation systems; inadequate water, sewer, or storm drainage systems; insufficient off-street parking; and other similar public facility and utility deficiencies that affect the project area adversely.

Impacts to Be Avoided

The Draft SEIR (see Sections 3A through 3D) identified a number of significant and unavoidable effects resulting from the Project that could be addressed by the proposed alternatives. These effects include:

- Violating an air quality standard or contributing substantially to an existing or projected air quality violation;
- Resulting in a cumulatively considerable net increase in a criteria pollutant for which the project region is in nonattainment under an applicable federal or state ambient air quality standard;
- Causing a significant adverse change in the significance of a historical resource as defined in Section 15064.5;
- Generating greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment;
- Conflicting with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases;
- Exposing persons to or generating noise levels in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies;
- Resulting in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the Project;
- Resulting in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the Project; and
- Being located within 2 miles of a public airport or public use airport and exposing people residing and working in the project area to excessive noise levels.

Possible Alternatives

CEQA requires an EIR to discuss the process by which its alternatives have been selected. Those alternatives that are potentially feasible, would substantially reduce one or more of the project's significant effects, and would meet most or all of its objectives are to be analyzed in the EIR. The No-Project Alternative is analyzed to provide perspective. Any alternatives that were considered but not chosen for analysis in the EIR are to be briefly discussed, along with the reasons for their rejection. Four possible alternatives were initially considered for inclusion in this Draft SEIR:

- Reduced Constituent Project Area Alternative,
- Reduced Time and Financial Time Limits Alternative,
- Other Entity or Entities Alternative, and
- No-Project Alternative.

Of these four alternatives, only the No-Project Alternative was considered further, for reasons explained below.

Alternatives Considered and Rejected

Alternatives that are remote or speculative or alternatives whose effects cannot be reasonably predicted need not be considered (State CEQA Guidelines Section 15126[f][2]). As stated above, alternatives may be eliminated from detailed consideration if they fail to meet most of a project's objectives, are not feasible, or do not avoid or substantially reduce significant environmental effects (State CEQA Guidelines Section 15126.6[c]). The alternatives below were initially considered, then rejected.

Reduced Constituent Project Area Alternative

Under this alternative, one of the constituent project area(s) would not be amended; therefore, each affected constituent project area's financial limits would not be increased, and various applicable time limits would not be extended. As a result, the expiration date for the affected constituent project area(s) would occur sooner than with the Project, and the Agency would not be able to undertake a redevelopment activity in the affected areas after the current expiration dates.

This alternative would not fully meet the basic objective of the Project (i.e., eliminating and preventing the spread of blight and deterioration *throughout* the project area) because the portion of the project area that is composed of the affected constituent project area(s) would not have the additional opportunity for redevelopment provided by Agency activities. The purpose of redevelopment throughout the project area is primarily to implement a comprehensive economic development strategy to alleviate conditions of blight within the entire project area.

This alternative does not preclude the elimination of blight for the affected constituent project areas, but such an effect would be the result of happenstance rather than a coordinated effort by the Agency; therefore, the total amount of blight elimination under this alternative is likely to be less than with the Project.

This alternative also does not fully meet the objectives of promoting new and continuing private sector and government agency investment within the project area and retaining and expanding existing businesses where possible through redevelopment and rehabilitation activities as well as efforts to encourage owners, businesses, and public agencies to cooperate and participate in revitalization of the project area. The Agency would not be able to advocate for affected constituent project area(s) after the expiration dates. Additionally, this alternative may not fully meet the objective of expanding and improving the City's housing supply within the affected constituent project area(s) because the Agency would not have an opportunity to facilitate development of housing in the affected area, including housing for low- and moderate-income families and

households. Although this does not preclude the possible expansion and improvement of the City's housing supply, such an effect would be the result of happenstance rather than a coordinated effort by the Agency; therefore, the total amount of blight eliminated under this alternative is likely to be less than what it would be with the Project. Furthermore, unlike the Project, this alternative would not require the development of low- to moderate-income housing.

Finally, this alternative does not fully meet the objective of eliminating or ameliorating deficiencies, such as substandard vehicular circulation systems; inadequate water, sewer, and storm drainage systems; insufficient off-street parking; and other similar public facilities and utilities deficiencies that affect the project area adversely, because the Agency would not have an opportunity to use available financial resources within the affected areas after the expiration dates. This alternative does not preclude the elimination or amelioration of deficiencies, but such an effect would be the result of happenstance rather than a coordinated effort by the Agency; therefore, the total amount of such improvements under this alternative is likely to be less than with the Project.

With regard to reducing impacts, the Reduced Constituent Project Area Alternative would not substantially reduce historic resource impacts that would result from the demolition of potentially significant historic resources as a result of Agency redevelopment activities within the affected constituent project area(s). Redevelopment activities do not target, nor are they restricted to, historic resources. Historic resources may be proposed for demolition as a result of development proposals regardless of whether the area is subject to redevelopment. Reducing the project area would not affect the ability of individual property owners to propose projects that would adversely affect historic resources.

This alternative would not develop a historical and archaeological context for the project area that would strengthen subsequent historic resource evaluations. This alternative would also not avoid significant air quality, greenhouse gas, and noise impacts because the severity of these impacts is driven primarily by reasonably foreseeable projects and projected growth. It appears that this alternative would not substantially lessen the majority of the significant effects of the Project. Therefore, this alternative has been eliminated from detailed consideration in the Draft SEIR because it fails to meet most of the objectives of the Project and does not avoid or substantially reduce any significant environmental effects in accordance with State CEQA Guidelines Section 15126.6(c).

Reduced Time and Financial Time Limits Alternative

This alternative would change the expiration dates for the two constituent project areas. Table 5-1 shows the current expiration dates for each of the constituent project areas and the proposed expiration dates under this alternative.

Table 5-1. Current and Proposed Expiration Dates for the Constituent Project Areas for the Reduced Time and Financial Time Limits Alternative

Constituent Project Area	Current Expiration Date	Proposed Expiration Date (Alternative)
Southwest Fresno GNRA	1/14/2012	1/14/2017
Fruit/Church	10/17/2014	10/17/2019
Source: Keyser Marston Associates, Inc., 2010.		

Under this alternative, the tax increment for these two constituent redevelopment plans would be increased by only half of what is proposed by the Project, the extension of the time limit on the payment of indebtedness and receipt of property taxes would be increased by half of what was proposed, and the extension of the time limit for the use of eminent domain would be increased by half of what is proposed. Under this alternative, existing historic resource mitigation proposed for the Project would be unaltered.

This alternative meets the basic objective of the Project of eliminating and preventing blight and deterioration throughout the project area, but it does not meet the objective as effectively as the Project because the Project would assist in meeting this objective for twice the length of time (10 years rather than 5 years). This alternative does not preclude the elimination of blight in the project area after the shortened timeframes, but such an effect would be the result of happenstance rather than a coordinated effort by the Agency; therefore, the total amount of blight elimination under this alternative is likely to be less than with the Project.

This alternative also does not fully meet the objective of promoting new and continuing private sector and government agency investment within the project area and retaining and expanding existing businesses where possible by means of redevelopment and rehabilitation activities and encouraging and assisting owners, businesses, and public agencies to cooperate and participate in the revitalization effort because the Agency's efforts to advocate for the project area would be limited to a reduced amount of time.

This alternative may not fully meet the objective of expanding and improving the City's housing supply within the project area because the Agency would not have an extra 5 years to facilitate the development of housing, especially in light of recent reductions in state funding to redevelopment agencies over the last few budget cycles. This alternative does not preclude the possible expansion and improvement of the City's housing supply, but such an effect would be the result of happenstance rather than a coordinated effort by the Agency; therefore, the total amount of blight elimination under this alternative is likely to be less than with the Project. Furthermore, unlike the Project, this alternative would also not require the development of low- to moderate-income housing.

Finally, this alternative does not fully meet the objective of eliminating or ameliorating deficiencies, such as substandard vehicular circulation systems; inadequate water, sewer, and storm drainage systems; insufficient off-street parking; and other similar public facilities and utilities deficiencies that affect the project area adversely, because the Agency would not have an opportunity to use available financial resources within the affected areas after the expiration dates. This alternative does not preclude the elimination or amelioration of deficiencies, but such an effect would be the result of happenstance rather than a coordinated effort by the Agency; therefore, the total amount of such improvements under this alternative is likely to be less than with the Project.

The Reduced Time and Financial Time Limits Alternative may reduce historic resource impacts by reducing the potential for the demolition of potentially significant historic resources as a result of Agency redevelopment activities within the constituent project area(s). However, as discussed above, because non-redevelopment projects would still occur, this reduction is limited. This alternative would likely not avoid significant air quality, greenhouse gas, and noise impacts because the severity of these impacts is driven primarily by reasonably foreseeable projects and projected growth. It appears that this alternative would not substantially lessen the majority of the significant effects of the Project. Therefore, this alternative has been eliminated from detailed consideration in the Draft SEIR because it does not meet the objectives of the Project.

Other Entity or Entities Alternative

This alternative would result in another public or private entity or entities, other than the Agency, taking over part or the whole function of the Agency within the project area to effectuate the objectives of the Project. There are no plans for such a takeover, nor is there a source of funding for that entity at this time. There is also no current entity or entities that likely have the collective human resources and knowledge to take over the Agency's operations at this time. Another entity or entities, if they were to assume the Agency's responsibilities, would not be afforded the rights and privileges given to, as well as the legal obligations required of, the Agency under California Redevelopment Law. Such rights include the power of eminent domain and condemnation as a tool of last resort to combat blight in an area. Legal obligations include having to pay fair market value for a seized property or relocation assistance. Therefore, while this alternative may fulfill the objectives of the Project, it would do so without the tools given to and obligations required of the Agency under California Redevelopment Law. Also, because there does not appear to be any other entity or entities that could take over the Agency's responsibilities at this time, this alternative is considered speculative and does not need to be considered in this Draft SEIR.

Alternatives Previously Considered in the 1998 EIR

State CEQA Guidelines Section 15162 provides that if new information becomes available that was not known and could not have been known when the prior EIR was certified and such information indicates that one (or more) of the alternatives that was dismissed as infeasible at that time would potentially be feasible, then the SEIR must consider that alternative again.

The following alternatives were analyzed in the 1998 EIR:

- **No-Project Alternative**—Under this alternative, the existing constituent project areas would not be financially merged, the time limits would not be extended, and the plan and financial limits of the constituent project areas would be allowed to expire;
- **Separate Project Areas Alternative**—Under this alternative, the two constituent project areas would not be financially merged, but the plan, time, and financial limits would be extended; and
- **Modified Development Scale Alternative**—Under this alternative, development projects undertaken would be limited to smaller scale projects, such as infill, small-site acquisition, and rehabilitation.

The Agency rejected these alternatives for a variety of reasons, including:

- the increased cost of developing the area would act as a disincentive for new development and would affect the Agency's ability to remove blight without incentives;
- the rate of development would be much slower because financial assistance would no longer be available;
- while the City could still generate funds to complete planned public improvements through the establishment of assessment districts or state or federal grants and loans could be used, it is anticipated that these incentives/programs would not be enough on their own to address the blighted conditions in the project area;
- historic resources may be at greater risk because of the lack of resources for their conservation, preservation, or adaptive reuse;
- the area would remain uncompetitive with other areas of the City, and
- larger scale projects would not be possible.

The 1998 EIR determined that each of these alternatives would not meet some or all of the project objectives and would not substantially lessen the significant effects of the Project. The 1998 EIR also determined that there were no social, technological, or economic impediments, but that social and economic benefits would likely not be realized. There is no new information that indicates that circumstances have changed since 1998.

Alternative Further Considered

The No-Project Alternative definition and analysis are presented below.

No-Project Alternative

Section 15126.6(e) of the State CEQA Guidelines requires the analysis of a “no project” alternative. This no-project analysis must discuss the existing condition as well as what would be reasonably expected to occur in the foreseeable future if the Project were not approved. Since the Project is the amendment (or revision) of two existing redevelopment plans (constituent redevelopment plans), Section 15126.6(e)(3)(A) of the State CEQA Guidelines is directly applicable to the Project:

When a project is the revision of an existing land use or regulatory plan, policy, or ongoing operation, the “no project” alternative will be the continuation of the existing plan, policy, or operation into the future. Typically, this is a situation where other projects initiated under the existing plan will continue while the new plan is developed. Thus, the projected impacts of the proposed plan or alternative plans would be compared to the impacts that would occur under the existing plan.

If the Project were not approved, the constituent redevelopment plans would not be amended, and the expiration dates for the two redevelopment plans would not be extended and would eventually lapse; therefore, the Agency would ultimately not be able to undertake redevelopment activities in the project area after October 17, 2014 (the expiration date for the Fruit/Church Constituent Project Area). The proposed expiration date for the Fruit/Church Constituent Project Area is October 17, 2024. The current and proposed expiration dates for the nine constituent project areas are shown in Table 5-2.

Table 5-2. Current and Proposed Expiration Dates for the Constituent Project Areas for the Project

Constituent Project Area	Current Expiration Date (No Project)	Proposed Expiration Date (Project)
Southwest Fresno GNRA	1/14/2012	1/14/2022
Fruit/Church	10/17/2014	10/17/2024

Source: Keyser Marston Associates, Inc. 2010.

If the constituent redevelopment plans are not amended, the tax increment for the two constituent redevelopment plans would not be increased, the time limit on the payment of indebtedness and receipt of property taxes would not be

increased, and the time limit for the use of eminent domain would not be increased (see Chapter 2, Project Description, for specifics about proposed eminent domain time limit changes).

If the constituent redevelopment plans are not amended, existing historic resource mitigation would not be augmented.

Analysis of the No-Project Alternative

In accordance with State CEQA Guidelines Section 15126.6(d), the discussion of the environmental impacts of the alternatives may be less detailed than the discussion of the impacts of the Project. An analysis comparing the impacts of the No-Project Alternative with those of the Project is provided below.

It is important to note that, for the following No-Project Alternative analysis, the absence of the Project does not preclude future development in the project area. Future development will occur; however, the Agency will not assist in facilitating that future development. Future development will be subject to goals, policies, and objectives in the general plan and other applicable plans. Conditions could be placed on future development by the City, compliance with CEQA would need to occur, and any other requirements applicable to the Project, other than mitigation developed specifically for the Project in this Draft SEIR, would also be applicable to future development under the No-Project Alternative.

It is also important to note that the Project would not directly result in environmental impacts. The Project would increase time and financial limits within the project area to assist the Agency in continuing its efforts pertaining to blight reduction and augment existing historic resource mitigation. The Project would not result in project-level development but, rather, would programmatically facilitate possible future development beyond the current time limits.

Aesthetics

Similar to the Project, the No-Project Alternative would not have an effect on a scenic vista or substantially damage scenic resources near a state scenic highway because the project area does not contain scenic vistas and is not adjacent to or near any designated or eligible state scenic highway. Also similar to the Project, future light generated by this alternative would be typical of urban development and designed in accordance with existing development standards. However, the No-Project Alternative could result in greater degradation of the existing visual character of the project area and surrounding area because it could eliminate redevelopment incentives that would prevent blight and deterioration.

It is anticipated that the No-Project Alternative would have a *greater impact* on aesthetics than the Project.

Agricultural and Forestry Resources

Similar to the Project, the No-Project Alternative would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance; affect lands covered by a Williamson Contract; or involve other changes that could result in conversion of farmland to non-agricultural use. No portion of the project area is designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance by the Farmland Mapping and Monitoring Program or under a Williamson Act contract. No portion of the project area is zoned for forest land, and no forests are located within the project area.

The No-Project Alternative would have the *same impact* on agricultural and forestry resources as the Project.

Air Quality

The No-Project Alternative would not result in a new or more severe impact that would conflict with or obstruct implementation of an applicable air quality plan, expose sensitive receptors to substantial pollutant concentrations, or create objectionable odors affecting a substantial number of people beyond what was disclosed in the 1998 EIR. Future development under this alternative would need to be consistent with the general plan, or mitigation would need to be developed to ensure that future development would be consistent with the air quality attainment plan. Similar to the Project, sensitive receptors would be accounted for during the discretionary review process under this alternative, and mitigation would be in place, if necessary, if said future development were not consistent with the general plan, which has accounted for sensitive receptors.

This Draft SEIR concluded, similar to the 1998 EIR, that the Project would result in cumulatively considerable air quality impacts. The No-Project Alternative would also result in significant air quality impacts because those impacts are driven primarily by reasonably foreseeable projects and projected growth. Existing point and non-point sources would still exist under the No-Project Alternative. Although the Project would facilitate potential future development through incentives, this does not mean that future development will not occur under the No-Project Alternative simply because the Agency is no longer allowed to use incentives for redevelopment. Development is allowable and encouraged in the project area under the general plan and other applicable plans, and development with or without Agency involvement would result in air quality impacts.

It is speculative to attempt to quantify possible future development in the project area with or without Agency involvement, and therefore, it is assumed that the No-Project Alternative would have the *same impact* on air quality as the Project.

Biological Resources

Similar to the Project, the No-Project Alternative would not significantly affect special-status species, riparian habitat, sensitive natural communities, or wetlands; interfere with wildlife movement or impede the use of nursery sites; conflict with local biological resource policies or ordinances; or conflict with an adopted conservation plan.

The No-Project Alternative would have the *same impact* on biological resources as the Project.

Cultural Resources

Similar to the Project, the No-Project Alternative would not directly or indirectly destroy a unique paleontological resource or geologic feature or knowingly disturb any human remains. The general plan has mitigation in place for discovery of previously unknown paleontological resources or discovered human remains that future development, as a result of the No-Project Alternative, would have to follow. There are no unique geologic features in the project area.

As discussed in this Draft SEIR, there are potential historic and archaeological resources within the project area. To account for these resources, the Project includes augmented historic mitigation that builds upon mitigation measure 3.15-4 of the 1998 EIR to include not only an intensive-level historic building survey of the project area but also a Phase I archaeological survey to provide context. The No-Project Alternative would not provide this context for future development. The No-Project Alternative would also not provide future proponents with an explicit protocol that meets federal and state standards for the consideration of cultural resources to build upon the context developed by the surveys, if applicable. Future development in the project area under the No-Project Alternative would also have to comply with CEQA and state and federal standards for cultural resources evaluation, but the context provided by Project mitigation to strengthen subsequent evaluations would not exist under the No-Project Alternative.

Because the No-Project Alternative would not result in the development of context for the project area through a historic and archaeological survey, future individual surveys for future development, in some cases, would tend to be less effective with respect to recognizing historical significance. As a result, this alternative would have a slightly *greater impact* on cultural resources than the Project.

Geology and Soils

Similar to the Project, the No-Project Alternative would not expose people or structures to potential substantial adverse effects involving rupture of a known earthquake fault, strong seismic ground shaking, seismically related ground failure, or landslides; result in substantial soil erosion or the loss of topsoil; be located on a geologic unit or soil that is unstable or would become unstable as a result of the Project; be located on expansive soil; or have soils that would be incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems. There are no known earthquake fault zones, as defined by the Alquist-Priolo Act, in the project area. Similar to the Project, under this alternative, seismically related impacts would be mitigated through compliance with the Uniform Building Code and the California Building Code. Similar to the Project, seismically related ground failure and unstable or expansive soils would be mitigated by incorporating recommendations from the required preliminary soils report into future development design as required by City. The project area is not located in an area that is prone to landslides. Under this alternative, future development would be required to implement a SWPPP for construction and, in compliance with City requirements, provide landscaping and stormwater conveyance structures, if necessary, to ensure that future operations would not result in substantial soil erosion. Septic or alternative wastewater disposal systems are not allowed in the project area. Similar to the Project, under this alternative, future development would have to link to the existing sewer system.

The No-Project Alternative would have the *same impact* related to geology and soils as the Project.

Greenhouse Gas Emissions

This Draft SEIR concluded that the Project would result in cumulatively considerable greenhouse gas impacts. The No-Project Alternative would also result in significant greenhouse gas impacts because these impacts are driven primarily by reasonably foreseeable projects and projected growth. Existing point and non-point sources would still exist under the No-Project Alternative. Although the Project facilitates the potential for future development through incentives, this does not mean that future development will not occur under the No-Project Alternative simply because the Agency is no longer allowed to use incentives for redevelopment. Development is allowable and encouraged in the project area under the general plan and other applicable plans, and development with or without Agency involvement will result in greenhouse gas impacts.

It is speculative to attempt to quantify possible future development in the project area with or without Agency involvement, and therefore, it is assumed that the No-Project Alternative would have the *same impact* related to greenhouse gas emissions as the Project.

Hazards and Hazardous Materials

Similar to the Project, the No-Project Alternative would not create a significant hazard that would affect the public or the environment through the routine transport, use, or disposal of hazardous materials or through reasonably foreseeable upset or accident conditions involving the release of hazardous materials; emit hazardous emissions or involve handling hazardous materials within 0.25 mile of a school; be located on a hazardous material site, pursuant to Government Code Section 65962.5; be located within an airport land use area or in the vicinity of a private airstrip; impair implementation of an emergency response or evacuation plan; or expose people or structures to wildland fires. Similar to the Project, under this alternative, routine transport, use, or disposal of hazardous materials in the project area would have to comply with United States Code and California Health and Safety Code under the direct oversight of the Fresno Fire Department and Fresno County Health Department. Similar to the Project, under this alternative, future development would be required to develop a business response plan and, if necessary, a risk management and prevention program. Similar to the Project, under this alternative, certain future development would have to obtain a conditional use permit, which would place conditions, to ensure public health and safety. Under this alternative, the cleanup of accidental releases of hazardous materials would have to conform to federal, state, and local requirements.

Under this alternative, future development that uses hazardous materials within 0.25 mile of a school would have to conform to federal, state, and local requirements and develop a business response plan and, if necessary, a risk management and prevention program. A number of such sites exist within the project area, but, pursuant to Government Code Section 65962.5, use of these sites, under this alternative, would be subject to remediation governed by the Department of Toxic Substance Control and require Fresno Fire Department, City of Fresno Planning and Development Department, and Fresno County Health Department review.

A significant portion of the northwestern part of the project area is located within traffic pattern zones of the Fresno-Chandler Downtown Airport Master and Environs Specific Plan (Airport Plan), but future development, under this alternative, would also be subject to requirements of the Airport Plan. The project area is not located within the vicinity of a private airstrip. Similar to the Project, future development, under this alternative, would be required to comply with applicable emergency response and evacuation plans. Some areas along the edge of the project area are adjacent to agricultural land, but these areas are maintained for such purposes. Fuel loads that could cause catastrophic fires and affect structures within the project area are not allowed to accumulate within these lands. Future development under this alternative would consist of residential, commercial, and industrial development with appreciable amounts of impervious surfaces that would not be susceptible to wildland fires.

The No-Project Alternative would have the *same impact* related to hazards and hazardous materials as the Project.

Hydrology and Water Quality

The No-Project Alternative would not violate any water quality standard or waste discharge requirement; substantially alter the existing drainage pattern of the site or area in a way that would result in substantial erosion, siltation, and/or flooding on or off site; create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; substantially degrade water quality; place housing within a 100-year flood hazard area; place structures within a 100-year flood hazard area so as to impede or redirect floodflows; expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam; or contribute to inundation by seiche, tsunami, or mudflow. Similar to the Project, future development, under this alternative, would be required to implement a SWPPP for construction and comply with City and Fresno Metropolitan Flood Control District grading and drainage standards to comply with the requirements of the National Pollutant Discharge Elimination System (NPDES) permit (NPDES No. CA0083500) and the Waste Discharge Requirements (WDR) order (Order No. 5-01-048) issued by the Central Valley Regional Water Quality Control Board (CVRWQCB) for stormwater conveyance flows in Fresno County to ensure water quality and that future development does not result in erosion, siltation, or flooding.

It does not appear that any future structures would be placed within a 100-year floodplain. All project areas within the 100-year floodplain are part of two canal systems and associated flood control basins. However, future development would need to perform additional analyses to determine if any portion of a specific development would be within a floodplain. If an analysis determines that a future development would be within a floodplain, building pads would be required to be elevated above flood levels. The City and the Fresno Metropolitan Flood Control District would require concrete stormwater conveyance (and possibly storage) structures as part of the future development to collect and channelize stormwater flows and reduce flows that could exceed the capacity of the stormwater drainage system. The individual development's stormwater conveyance needs would have to be reviewed and approved by the City. The project area is not within a dam failure flood inundation zone. The project area is not located near any enclosed body of water or coastal area of significant size and, therefore, is not susceptible to seiche or tsunami. The site is not located at the foot of any significant topographical feature with the potential for mudflow.

The Project would not result in significant groundwater impacts because reasonably foreseeable future development would be in compliance with the Fresno UWMP. Future development that may not be in compliance with the

Fresno UWMP would be subject to site plan review to be issued a special permit, in accordance with City Municipal Code Sections 12-405 and 12-406, which could place water conservation conditions on future developments or require additional water entitlements to be purchased to offset the water demand of future developments not covered in the Fresno UWMP as part of the issuance of a special permit. Future development, as a result of the No-Project Alternative, would be subject to site plan review. Water conservation conditions could also be placed on future development, if warranted.

The No-Project Alternative would have the *same impact* on hydrology and water quality as the Project.

Land Use and Planning

The No-Project Alternative would not physically divide an established community or conflict with any applicable habitat conservation plan or natural community conservation plan. The project area, which is within the southwestern portion of Fresno, is part of the metropolitan Fresno area. Some portions of the project area are adjacent to agricultural land. However, the project area is connected to the metropolitan Fresno area and therefore a part of this established community. The project area is not subject to a habitat conservation plan or natural community conservation plan. Future development under this alternative may request a general plan amendment, zone change, and/or other land use policy change during the discretionary approval process to be compliant with applicable land use plans, policies, or regulations. However, the extent to which that may occur is unknown and cannot be known. Accordingly, the SEIR will not speculate about such impacts.

The No-Project Alternative would have the *same impact* on land use and planning as the Project.

Mineral Resources

The No-Project Alternative would not result in the loss of availability of a known mineral resource or a locally important mineral resource recovery site. Mineral resource land use types are not found in the project area, and no portion of the project area is designated as a mineral resource recovery site in the general plan or any other applicable plan.

The No-Project Alternative would have the *same impact* on mineral resources as the Project.

Noise

The No-Project Alternative would not expose persons to or generate excessive groundborne vibration or groundborne noise levels or be located in the vicinity of a private airstrip and expose people residing or working in the project area to excessive noise levels. Similar to the Project, future development under this alternative would have to comply with applicable City standards regarding vibration. The project area is not located within the vicinity of a private airstrip.

The SEIR concluded that impacts on facilities constructed near freeways and Elm Avenue would be significant in the project area. Forecast traffic levels for 2025 would exceed the 60 dBA CNEL significance threshold throughout much of the project area. The MEIR for the City General Plan concluded that 2025 traffic noise levels adjacent to some freeways and arterials within the project area would exceed 70 dBA CNEL, the exterior noise level above which most standard noise abatement measures are incapable of reducing interior and exterior noise levels to levels that would satisfy the allowable noise limits specified by the noise element. These impacts are cumulative. Traffic noise associated with projected population growth would occur with or without the Project. In addition, the SEIR concluded that future operations at the three nearby airports (Fresno-Chandler Downtown Airport, Fresno Yosemite International Airport, and Sierra Sky Park) would not cause excessive noise within the project area.

The No-Project Alternative would have the *same impact* on noise as the Project.

Population and Housing

The No-Project Alternative would not induce substantial population growth in the project area because the area is finite. Increases in population can occur but only to a certain extent. Such increases would not be significant in comparison to the population of the City as a whole. Also, under this alternative, future development would typically be consistent with the general plan and, therefore, consistent with future growth projections. This alternative would also not displace a substantial number of people or housing units because future development tends to be smaller and, therefore, would displace fewer people and houses. The Project is required by California Redevelopment Law to replace displaced low- and moderate-income housing on a one-to-one basis, and 20% of the tax increment funds must go toward low- and moderate income housing. The Project also affords displaced residents relocation assistance as required by California Redevelopment Law and Agency procedure for the Project.

The No-Project Alternative would likely have the *same impact* on population and housing as the Project.

Public Services

Under the No-Project Alternative, future development would increase the demand for fire protection, police protection, schools, parks, and other public facilities. However, future development would be subject to the citywide fire facilities fee; required to adhere to current and future general plan policies and objectives related to police protection services, which are designed to maintain acceptable service ratios and response times; required to pay developer fees to affected school district in accordance with Section 17620 of the State Education Code; required to provide park and recreational areas within the project area in accordance with the City's Park Master Plan; and required to pay all other required public services fees.

The No-Project Alternative would have the *same impact* on public services as the Project.

Recreation

The No-Project Alternative would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated, include recreational facilities, or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment. The No-Project Alternative would provide park and recreational areas within the project area in accordance with the City's Park Master Plan.

The No-Project Alternative would have the *same impact* on recreation as the Project.

Transportation and Traffic

Short-term construction-related traffic impacts of future development resulting from the No-Project Alternative would be less than significant because future development would comply with established City and Agency procedures, which call for coordinating construction plans, temporary street closures, and detour plans with affected agencies as well as notifying users. Long-term traffic impacts would be reduced because improvements would be implemented in conformance with the current general plan and applicable community plans or other future plans. Such improvements would be paid for by street improvements, which are required for property development permits; locally generated general fund tax revenues, including redevelopment tax increment funds; locally established transportation fund taxes; and state and federal gas tax funds. Similar to the Project, future development within the project area under the No-Project Alternative would result in significant and unavoidable cumulative traffic impacts due to the decline in level of service (LOS) at several freeway

interchanges that serve the Project. Similar to the Project, under this alternative, a significant portion of the project area is within the Airport Plan area, and future development would be subject to requirements of the Airport Plan. Similar to the Project, future development under the No-Project Alternative would be required to comply with Caltrans and/or City road design standards, which would ensure that hazardous design features or incompatible uses would not occur. Future development under this alternative would also remove existing hazardous road conditions to be compliant with these standards. Similar to the Project, future development under this alternative would be required to comply with Fresno Fire Department standards for adequate emergency access. Future development under this alternative would have to comply with the current general plan and future updates, applicable community plans or other future adopted plans, and City design standards to support alternative transportation.

The No-Project Alternative would have the *same impact* on transportation and traffic as the Project.

Utilities and Service Systems

Similar to the Project, wastewater under this alternative would be treated at the Fresno/Clovis Regional Water Reclamation Facility in accordance with the effluent water quality requirements specified in CVRWQCB's Tulare Lake Basin Plan, the WDR order (Order No. 2006-0003-DWQ, Statewide General Waste Discharge Requirements for Sanitary Sewer Systems, State Water Resources Control Board, May 2, 2006), and CCR Title 22 requirements for recycled water. This alternative would conform to the requirements of the City and Fresno Metropolitan Flood Control District, including requirements pertaining to the possible placement of concrete stormwater conveyance (and possibly storage) structures as part of future development to collect and channelize stormwater flows and reduce flows that could exceed the capacity of the stormwater drainage system. The individual development's stormwater conveyance needs would have to be reviewed and approved by the City. Future development under this alternative would have to comply with the Zero Waste Strategic Action Plan, thereby allowing future development to be served by a landfill with sufficient permitted capacity to accommodate future solid waste disposal needs. Future development would have to comply with all local, state, and federal requirements for integrated waste management (e.g., recycling) and solid waste disposal.

Future development under this alternative would have adequate water supplies if the development is consistent with the general plan and, therefore, in compliance with the Fresno UWMP. Future development that may not be in compliance with the Fresno UWMP would be subject to site plan review to be issued a special permit, in accordance with City Municipal Code Sections 12-405 and 12-406, which could place water conservation conditions on future developments or require additional water entitlements to be purchased to offset the water demand

of future developments not covered under the Fresno UWMP as part of the issuance of a special permit. Future development resulting from the No-Project Alternative would also be subject to site plan review. Water conservation conditions could also be placed on future development, if warranted.

Future development within the project area would be required to obtain a sewer permit from the City's director of development to connect to the existing sewer system and pay a sewer connection charge in accordance with City Municipal Code Section 6-304. During operations, future development would also have to pay a sewer service charge in accordance with City Municipal Code Section 6-305. In accordance with City Municipal Code Section 6-337, a sewer service fund has been established where sewer connection and sewer service charges are deposited to pay for acquisition, construction, and reconstruction of the POTW, including WWTP expansions and new construction. Necessary sewer capital improvements in the project area, as outlined in the sewer system management plan, would also be funded through the sewer service fund. Future POTW acquisition, construction, and reconstruction (WWTP and sewer capital improvements) would be subject to additional CEQA analysis, which includes mitigating environmental impacts to the greatest extent feasible. This action is out of the scope of this document. Obtaining a sewer permit and paying necessary charges in accordance with City Municipal Code, coupled with future WWTP CEQA review, would result in a less-than-significant impact due to the construction of new wastewater treatment facilities or expansion of existing facilities, including sewer capital improvements.

The 1998 EIR acknowledges that sections of the City's wastewater collection system are in need of replacement because of age but that compliance with the City Municipal Code would reduce impacts to less than significant. As discussed above, future development would have to comply with the City Municipal Code.

The No-Project Alternative would have the *same impact* on utilities and service systems as the Project.

Relationship to Project Objectives and Feasibility

Depending on future development and improvements resulting from the No-Project Alternative, this alternative may fulfill the project objectives of

- eliminating and preventing the spread of blight and deterioration throughout the project area; this depends on the vitality of the private market and private reinvestment, which has been historically low without incentives provided by the Agency (Redevelopment Agency of the City of Fresno 1998);
- expanding and improving the City's housing supply (inside and outside the project area), including opportunities for low- and moderate-income families and households; and

- eliminating or ameliorating deficiencies, such as substandard vehicular circulation systems; inadequate water, sewer, and storm drainage systems; insufficient off-street parking; and other similar public facilities and utilities deficiencies adversely affecting the project area. However, without the ability to fund comprehensive infrastructure and acquire necessary lands, the private sector may be less effective at this than the Agency.

This alternative does not fulfill the project objective of promoting new and continuing private sector and government agency investment within the project area to prevent the loss of economic activity and facilitate such activity. Without the Agency's involvement, there would be no formal entity promoting economic activity.

This alternative also does not fully meet the project objective of retaining and expanding existing businesses where possible by means of redevelopment and rehabilitation activities and encouraging and assisting owners, businesses, and public agencies to cooperate and participate in the revitalization of the project area. Depending on the type of future development, the No-Project Alternative may help retain and expand existing businesses through redevelopment and rehabilitation activities, but without the Agency, there would be no formal entity to encourage and assist owners, businesses, and public agencies with respect to revitalization of the project area.

The No-Project Alternative is feasible. The project area is suitable and economically viable for this alternative. There is available infrastructure, and future development would likely be consistent with the general plan.

Environmentally Superior Alternative

The Project is the environmentally superior alternative because no other alternative analyzed in this chapter satisfies all or any of the basic project objectives and/or avoids or substantially reduces any significant environmental effects in accordance with State CEQA Guidelines Section 15126.6(c). The No-Project Alternative would likely result in greater aesthetic and cultural resources impacts than those of the Project.

Chapter 6

Growth-Inducing Impacts

Chapter 6

Growth-Inducing Impacts

Introduction

The State CEQA Guidelines require an EIR (including an SEIR) to discuss how a project could directly or indirectly foster economic or population growth—or the construction of additional housing—in the surrounding environment. This discussion must also include any ways in which a project would remove obstacles to population growth or trigger the construction of new community service facilities that could cause significant impacts (State CEQA Guidelines Section 15126.2).

The analysis presented below focuses on whether the Project would stimulate growth in the surrounding area. The growth-inducing impact reflects changes to the existing physical environment that would occur as a result of the Project.

Removal of Obstacles to Growth

The 1998 EIR concluded that future development could result in small population gains in the project area due to the construction of new housing units (Redevelopment Agency of the City of Fresno 1998). However, impacts on the population would generally be positive and not significant because housing programs within the project area would help the City to meet its housing objectives and, in compliance with California Redevelopment Law, provide low- and moderate-income housing (Redevelopment Agency of the City of Fresno 1998). Future development may also bring additional people to the metropolitan Fresno area as a result of job opportunities created by future development.

Future development within the project area is expected to be consistent with population forecasts adopted by the Council of Fresno County Governments, allowing Fresno to accommodate its fair share of the regional growth forecast (City of Fresno 2002a). The Project is already accounted for in the general plan and growth projections for the area. In addition, the project description requires the Project to remain consistent with the current general plan and future updates.

The Project would not induce population growth beyond that previously disclosed in the 1998 EIR, nor would it result in the extension of infrastructure (e.g., roads, potable water lines, sewer lines, etc.) that would facilitate future

development in nonurban areas, such as open space on the fringes of the City. The project area is surrounded by existing urban areas where infrastructure is already in place. While some infrastructure would need to be rehabilitated or replaced because of deterioration or capacity needs, general plan population forecasts would be accommodated.

The 1998 EIR concluded that growth in the project area would be consistent with the general plan population forecasts and that future development would not adversely affect the City's ability to accommodate future growth. No substantive changes have occurred since certification of the 1998 EIR to indicate that the Project would result in new or more severe direct or indirect impacts from growth.

Chapter 7

Significant Irreversible Changes

Chapter 7

Significant Irreversible Changes

Pursuant to Section 15126.2(c) of the State CEQA Guidelines, an EIR for a plan (including an SEIR) must consider any significant irreversible environmental changes that would be caused by a project should it be implemented. Section 15126.2(c) reads as follows:

Uses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as a highway improvement that provides access to a previously inaccessible area) generally commit future generations to similar uses. Also, irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to ensure that such current consumption is justified.

The Project would increase time and financial limits within the project area, which would assist the Agency with its continuing efforts pertaining to blight reduction, and augment existing historic resource mitigation measures. The Project would not result in project-level development but, rather, would programmatically facilitate possible future development beyond the current time limits. Therefore, the Project would not directly result in significant irreversible environmental changes.

Indirectly, the Project would facilitate future development, which would require the use of nonrenewable resources, such as metal alloys and aggregate resources, for physical construction. In addition, limited amounts of fuel would be used in the construction phase of future development. Operation of the Project would require the use of nonrenewable resources, such as fuel, which would be consumed by both residents and employees while traveling to or from the project area or making deliveries. Depending on the type of future development, the use of nonrenewable resources could, for example, be associated with fabrication or assembly activities.

The Project would not significantly increase the consumption of nonrenewable resources or significantly commit future generations to unnecessary exploitation of nonrenewable resources. While various natural resources, such as construction materials and energy resources, would, as a result of the Project, be used for future development, the use of these resources, relative to similar urban development in the region, would not result in substantial resource depletion.

The 1998 EIR does not discuss significant irreversible environmental changes. However, 1998 conditions were similar to current conditions in that construction and operations in 1998 required the use of nonrenewable resources and fuels but did not significantly increase the consumption of nonrenewable resources, commit future generations to unnecessary exploitation of nonrenewable resources, or result in substantial resource depletion.

The Project would not result in a new or more severe impact as a result of significant irreversible changes relative to the 1998 EIR.

Chapter 8

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Chapter 9

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Chapter 9 List of Preparers

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Chapter 10

Acronyms and Abbreviations

Chapter 10

Acronyms and Abbreviations

$\mu\text{g}/\text{m}^3$	micrograms per cubic meter
1998 EIR	Final Program EIR 10124, Merged Redevelopment Project: Central Area Merged, Proposed Fulton Redevelopment Project Area, Proposed South Van Ness Industrial Redevelopment Project Area, State Clearinghouse No. 97122009, June 1998
AB	Assembly Bill
ADI	area of direct impact
ADT	average daily traffic
Agency	Redevelopment Agency of the City of Fresno
Airport Plan	Fresno-Chandler Downtown Airport Master and Environs Specific Plan
APCD	air pollution control district
APE	area of potential effects
AQAP	air quality attainment plan
AQRV	air quality-related values
ARMR	Archaeological Resource Management Report
BAAQMD	Bay Area Air Quality Management District
BAU	business as usual
BPS	best performance standards
Btu	British thermal unit
C	Celsius
C_2F_6	hexafluoroethane
CAA	Clean Air Act
CAAQS	California Ambient Air Quality Standards
CAFE	Corporate Average Fuel Economy
Cal/OSHA	California Division of Occupational Safety and Health
California Register or CRHR	California Register of Historical Resources
Caltrans	California Department of Transportation

CARB	California Air Resources Board
CCAA	California Clean Air Act
CCR	California Code of Regulations
CEQA	California Environmental Quality Act
CF ₄	tetrafluoromethane
CFR	Code of Federal Regulations
CH ₄	methane
City	City of Fresno
CLG	Certified Local Government
CNEL	Community Noise Equivalent Level
CO	carbon monoxide
CO ₂	carbon dioxide
CO ₂ e	carbon dioxide equivalents
CRL	California Redevelopment Law
CUP	conditional use permit
CVRWQCB	Central Valley Regional Water Quality Control Board
dB	decibels
dBA	A-weighted sound level
DMC	development mitigation contract
DNL or L _{dn}	day-night average sound level
Draft SEIR	draft subsequent environmental impact report
EISA	Energy Independence and Security Act of 2007
EPA	U.S. Environmental Protection Agency
FAX	Fresno Area Express
FMC	Fresno Municipal Code
Fresno COG	Council of Fresno County Governments
GAMAQI	Guide for Assessing and Mitigating Air Quality Impacts
GHG	greenhouse gas
GNRA	General Neighborhood Renewal Area
GPR	ground-penetrating radar
H ₂ O	water
H ₂ S	hydrogen sulfide
HAP	hazardous air pollutant

HFC	hydroflourocarbon
HPC	Historic Preservation Commission
HRA	Health Risk Assessment
HUD	Housing and Urban Development
Hz	Hertz
IPCC	Inter Governmental Panel on Climate Change
IS	initial study
IS/NOP	initial study/notice of preparation
ISR	Indirect Source Rule
Lead Agency	Redevelopment Agency of the City of Fresno and the City of Fresno
LEED	Leadership in Energy and Environmental Design
L_{eq}	equivalent sound level
L_{max}	maximum obtainable noise level
L_{min}	minimum obtainable noise level
Local Register	Local Register of Historic Resources
LOS	level of service
MEIR	Master Environmental Impact Report
MMRP	mitigation monitoring and reporting program
MMT	million metric tons
mpg	miles per gallon
MPO	metropolitan planning organization
N_2O	nitrous oxide
NAAQS	National Ambient Air Quality Standards
National Register or NRHP	National Register of Historic Places
NHPA	National Historic Preservation Act
NHTSA	National Highway Traffic Safety Administration
NO_2	nitrogen dioxide
NOAA	National Oceanic and Atmospheric Administration
NOP	notice of preparation
NO_x	nitrogen oxide
NPDES	National Pollutant Discharge Elimination System
O_3	ozone
OEHHA	Office of Environmental Health Hazard Assessment

OHP	Office of Historic Preservation
OSHA	Occupational Safety and Health Administration
PFC	perfluorocarbon
PM10	particulate matter less than 10 microns in diameter
PM10 Maintenance Plan	2007 PM10 Maintenance Plan and Request for Redesignation
PM2.5	particulate matter less than 2.5 microns in diameter
POTW	publicly owned treatment works
ppm	parts per million
PRC	Public Resources Code
Project	Fresno Merger No. 2 Redevelopment Plan Amendments Project
PSD	prevention of significant deterioration
PVC	polyvinyl chloride
REL	reference exposure level
RFS	Renewable Fuel Standard
RH	relative humidity
ROG	reactive organic gas
RTP	regional transportation plan
SB	Senate Bill
SF ₆	sulfur hexafluoride
SHPO	State Historic Preservation Officer
SIL	significant impact levels
SIP	State Implementation Plan
SJVAB	San Joaquin Valley Air Basin
SJVAPCD	San Joaquin Valley Air Pollution Control District
SO ₂	sulfur dioxide
SO _x	sulfur oxide
SR	state route
SWPPP	stormwater pollution prevention plan
TAC	toxic air contaminant
TOC	total organic carbon
UBC	Uniform Building Code
UNEP	United Nations Environment Program
URF	unit risk factor

USGCRP	U.S. Global Change Research Program
UWMP	Urban Water Management Plan
VERA	Voluntary Emissions Reduction Agreement
VMT	vehicle miles traveled
VOC	volatile organic compound
VRP	visibility-reducing particle
WDR	Waste Discharge Requirement
WMO	World Meteorological Organization
WSO AP	Weather Service Office, Airport
WWTP	wastewater treatment plant

Appendix A

Notice of Preparation

Notice of Preparation

To: Please See Attached Mailing List
(Agency)

From: Redevelopment Agency of the City of Fresno
(Agency)

(Address)

2344 Tulare Street, Suite 200

(Address)

Fresno, CA 93721

Subject: Notice of Preparation of a Draft Subsequent Environmental Impact Report

The Redevelopment Agency of the City of Fresno and the City of Fresno will be the Co-Lead Agencies and will prepare a Subsequent Environmental Impact Report (SEIR) based on *Final Program EIR 10125, Merged Redevelopment Project II: Southwest Fresno GNRA, Fruit/Church Redevelopment Project Area, SCH No. 97092072, August 1998*, for the project identified below. We need to know the views of your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the SEIR prepared by our agency when considering your permit or other approval for the project.

The project description and location of the project are contained in the attached materials. A copy of the Initial Study ☐ *is* ☒ *is not* attached. A completed Initial Study will be appended to the Draft SEIR for this project and available for review and comment during the Draft SEIR's 45-day public review period.

Due to the time limits mandated by State law, your response must be sent at the earliest possible date, but not later than 30 days after receipt of this notice.

Please send your response to David Martin at the address shown above. We will need the name of a contact person in your agency.

Project Title: Fresno Merger No. 2 Redevelopment Plan Amendments Project

Project Applicant, if any: Redevelopment Agency of the City of Fresno

Date: April 19, 2010

Signature: 

Title: David Martin, Project Manager

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Reference: California Code of Regulations, Title 14, (CEQA Guidelines) Sections 15082(a), 15103, 15375.

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Project Description

1. **Project Title:** Fresno Merger No. 2 Redevelopment Plan Amendments Project
2. **Co-Lead Agency Names and Addresses:**

Redevelopment Agency of the City of Fresno
2344 Tulare Street, Suite 200
Fresno, CA 93721

City of Fresno
Attn: Planning and Development Department
2600 Fresno Street, 3rd Floor
Fresno, CA 93721
3. **Contact Person and Phone Number:** Mr. David Martin, 559/621-7630
4. **Project Location:** The proposed amendments to two Constituent Redevelopment Plans within the Project Area encompass about 1,900 acres within the southwestern part of the City of Fresno; see figure attached to Notice of Preparation (NOP) titled “Merger II Redevelopment Areas”
5. **Project Sponsors’ Names and Addresses:** Same as co-lead agencies (see “2. Co-Lead Agency Names and Addresses” above)
6. **General Plan Designation:** Numerous General Plan designations within the Project Area
7. **Zoning:** Numerous zoning classifications within the Project Area
8. **Description of Project:**

As required by the California Environmental Quality Act (CEQA), the City of Fresno (City) and the Redevelopment Agency of the City of Fresno (Agency) are required to conduct an environmental review of the Project and consider its potential environmental impacts before making a decision on the Project. The Agency and City are the co-lead agencies (collectively, Lead Agency) for the preparation of environmental documentation related to this Project.

The Project consists of proposed amendments to two redevelopment plans. The Project Area encompasses separate Constituent Project Areas, each of which has its own Constituent Redevelopment Plan: Southwest Fresno General Neighborhood Renewal Area (GNRA) and Fruit/Church.

The separate Constituent Project Areas are collectively referred to as the “Project Area.” The “Merger II Redevelopment Areas” figure attached to the NOP shows the boundaries of each Constituent Project Area; the Project Area is the total of these two separate Constituent Project Areas. The Project would extend the Agency’s ability to acquire property within the Project Area through the use of eminent domain and would amend specific time and financial limits for the Constituent Project Areas. The eminent domain time limit extension would not be used for “occupied residential properties” within the Project Area, but eminent domain would be available for other nonresidential uses (e.g., commercial, industrial) and for vacant residential properties (e.g., vacant land, vacant buildings). The Project also includes the updating of mitigation measures previously adopted in conjunction with *Final Program EIR 10125, Merged Redevelopment Project II: Southwest Fresno GNRA, Fruit/Church Redevelopment Project Area, SCH No. 97092072, August 1998* (1998 EIR).

Specifically, the Project consists of the following amendments:

- Increase the tax increment limits for the Southwest Fresno GNRA and Fruit/Church Constituent Redevelopment Plans.
- Increase the time limit on the effectiveness of the Southwest Fresno GNRA and Fruit/Church Constituent Redevelopment Plans.
- Increase the time limits to receive tax increment and repay bonded indebtedness for the Southwest Fresno GNRA and Fruit/Church Constituent Redevelopment Plans.
- Increase the time limit on the Agency’s authority to utilize eminent domain in both of the Constituent Project Areas. The eminent domain time limit extension would not be used for “occupied residential properties” within the Project Area, but eminent domain would be available for other nonresidential uses and for vacant residential properties.
- Augment existing 1998 EIR cultural resources mitigation:
 - Retain Mitigation Measure 3.15-4 from the 1998 EIR and add clarifying language that states the existing mitigation would require the City to complete intensive-level historic building surveys for the Project Area (Project Area Survey) to California Office of Historic Preservation (OHP) standards (as described in *Instructions for Recording Historic Resources*, Appendix 6: Types of Survey Activities). Phase I archaeological surveys would also be performed for these Constituent Project Areas concurrently with the intensive-level historic building surveys as part of the Project Area Survey.
 - Require that applicants follow a survey protocol to be applied within the Project Area for historic resources during the discretionary approval phase of a proposed development. Similar to certified language for Mitigation Measure 3.15-4 in the 1998 EIR, this approach would apply while the Project Area Survey is completed to allow the continued processing and approval of proposed Development Projects.

The Subsequent EIR for this Project will provide explicit details about the proposed tax increment and time limits, as well as provide specificity about the augments to the 1998 EIR cultural resources mitigation language.

Project Purpose and Objectives

As described in the 1998 EIR, the Agency has the following existing objectives for undertaking redevelopment activities within the Project Area:

- The elimination and prevention of the spread of blight and deterioration throughout the Project Area.
- The promotion of new and continuing private sector and government agency investment within the Project Area to prevent the loss of and to facilitate economic activity.
- The retention and expansion of existing businesses where possible by means of redevelopment and rehabilitation activities, and encouraging and assisting the cooperation and participation of owners, businesses, and public agencies in the revitalization of the Project Area.
- The expansion and improvement of the City's housing supply (inside and outside the Project Area), including opportunities for low- and moderate-income families and households.
- The elimination or amelioration of deficiencies, such as substandard vehicular circulation systems; inadequate water, sewer, and storm drainage systems; insufficient off-street parking; and other similar public facility and utility deficiencies adversely affecting the Project Area.

The primary objective of the Project is to allow the Agency to continue implementing a comprehensive economic development strategy to alleviate the conditions of "blight areas"¹ affecting the Project Area. The provisions of the California Redevelopment Law (California Health and Safety Code Section 33000 et seq.) relative to tax increment limits, time limits on the effectiveness of a redevelopment plan, and use of eminent domain require the Agency to take the actions described above to continue undertaking effective redevelopment activities within the Project Area. The proposed updated mitigation measures would also allow the Agency to undertake its activities while providing for more effective consideration and protection of historic buildings.

Preparation of a Subsequent EIR

The attached NOP provides notice that the Lead Agency will be preparing a Subsequent EIR for the Project, based on the 1998 EIR. Section 15162 of the State CEQA Guidelines states that a Subsequent EIR will be prepared when any of the following situations exist, based on substantial evidence in light of the whole record:

- (a) When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:
 - (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
 - (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
 - (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:

¹ As defined by California Health and Safety Code Section 33030 (effective January 1, 2008).

- (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
- (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
- (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
- (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.***

Consistent with State CEQA Guidelines Section 15162, the Subsequent EIR to be prepared for this Project will be based on the 1998 EIR. The Subsequent EIR will analyze the changes to the Project as set forth in the 1998 EIR to determine whether they would lead to new or more severe significant impacts relative to the impacts disclosed in the 1998 EIR. It will also examine whether the changes to the circumstances under which the Project is undertaken since the certification of the 1998 EIR would result in new significant environmental impacts or substantial increase in the severity of previously identified significant impacts.

Since the adoption of the 1998 EIR, new regulations, local standards, and statutes have gone into effect, and there are new circumstances that result in new information:

- New information is now available about greenhouse gas (GHG) emissions that will be considered. Since the certification of the 1998 EIR, Assembly Bill 32 of 2006 and Senate Bill 97 of 2007 have been enacted. These bills require that public agencies consider the indirect and direct environmental impacts of GHG emissions from their projects and mitigate significant GHG impacts to the extent feasible.
- The Project may result in a new or more severe impact that results in a cumulatively considerable net increase of any criteria pollutant for which the Project region is a nonattainment area for an applicable federal or state ambient air quality standard.
- There are likely additional historical resources not listed in the 1998 EIR that are eligible for listing as historic resources.
- There appears to be evidence that circumstances relative to future noise levels have substantially changed since certification of the 1998 EIR.
- The City's Urban Water Management Plan was updated in 2008.
- The City recently adopted a Sewer System Management Plan, which was not considered in the 1998 EIR.

The Subsequent EIR will determine whether the Project would result in new significant environmental impacts or substantial increases in the severity of previously identified significant impacts as a result of these new laws, regulations, and standards.

Upon its release for public review and comment, the Draft Subsequent EIR will be given the same notice as is required of all EIRs. When the time comes to consider approving the Project, the Lead Agency will consider the Subsequent EIR, and must make a finding for each significant impact

identified in the Subsequent EIR.

Intended Uses of the Subsequent EIR

The Subsequent EIR will be used by the City Housing and Community Development Commission, City Planning Commission, Agency, and City Council when considering approval of the Project described above.

9. Surrounding Land Uses and Setting:

The Project Area is within the City's southwestern portion and is surrounded by built land uses, including various residential, commercial, public facilities, and industrial land uses, as well as some open space.

10. Other Public Agencies whose Approval Is Required:

- City Housing and Community Development Commission—Recommend adoption of Amendments, Subsequent EIR, and Mitigation Monitoring and Reporting Program (MMRP) to City Council.
- City Planning Commission—Recommend adoption of Amendments, Subsequent EIR, and MMRP to City Council.
- City Redevelopment Agency Board—Adopt Amendments, Subsequent EIR, and MMRP.
- City Council—Adopt Amendments, Subsequent EIR, and MMRP.

Merger II Redevelopment Areas



Appendix B

Initial Study

Environmental Checklist

1. **Project Title:** Fresno Merger No. 2 Redevelopment Plan Amendments Project
2. **Co-Lead Agencies Names and Addresses:** Redevelopment Agency of the City of Fresno
2344 Tulare, Suite 200
Fresno, CA 93721

City of Fresno
Attn: Planning & Development Department
2600 Fresno Street, 3rd Floor
Fresno, CA 93721
3. **Contact Person and Phone Number:** Mr. David Martin, (559) 621-7630
4. **Project Location:** The proposed amendments to two Constituent Redevelopment Plans within the Project Area encompass about 1,900 acres within the southwestern part of the City of Fresno. See Figure 1.
5. **Project Sponsors' Names and Addresses:** Same as Co-Lead Agencies (see "2. Co-Lead Agencies Names and Addresses" above)
6. **General Plan Designation:** Open Space, Commercial, Commercial/Mixed Use Level 1 (Central Area), Commercial/Mixed Use Level 2 (Central Area), Freeway, Industrial/Heavy, Industrial/Light, Public Facility, Railroad, and Residential (Central Area).
7. **Zoning:** Neighborhood Commercial (C-1), Mixed-Use Commercial (C-2), General Commercial (C-5), Heavy Commercial (C-6), Commercial and Light Manufacturing (C-M), Administrative and Professional Offices (C-P), Light Manufacturing (M-1), Heavy Manufacturing (M-3), Open Conservation (O), Off-Street Parking (P), Single-Family Residential (R-1), Low-Density Multi-Family Residential (R-2), One-Story Low-Density Multi-Family Residential (R-2-A), Medium-Density Multi-Family Residential (R-3), High-Density Multi-Family Residential (R-4), Residential Agriculture (R-A), and Residential Professional District (R-P).

8. **Description of Project:**

As required by the California Environmental Quality Act (CEQA), the City of Fresno (City) and the Redevelopment Agency of the City of Fresno (Agency) are required to conduct an environmental review of the Project and consider its potential environmental impacts before making a decision on the Project. The Agency and City are the co-lead agencies (collectively, Lead Agency) for the preparation of environmental documentation related to this Project.

The Project consists of proposed amendments to two redevelopment plans. The Project Area encompasses separate Constituent Project Areas, each of which has its own Constituent Redevelopment Plan: Southwest Fresno General Neighborhood Renewal Area (GNRA) and Fruit/Church.

The separate Constituent Project Areas are collectively referred to as the "Project Area." Figure 1

shows the boundaries of each Constituent Project Area; the Project Area encompasses both Southwest Fresno GNRA and Fruit/Church Redevelopment Plans. The Project would extend the Agency's ability to acquire property within the Project Area through the use of eminent domain and would amend specific time and financial limits for the Constituent Project Areas. The eminent domain time limit extension would not be used for "occupied residential properties" within the Project Area, but eminent domain would be available for other nonresidential uses (e.g., commercial, industrial) and for vacant residential properties (e.g., vacant land, vacant buildings). The Project also includes the updating of mitigation measures previously adopted in conjunction with *Final Program EIR 10125, Merged Redevelopment Project II: Southwest Fresno GNRA, Fruit/Church Redevelopment Project Area, SCH No. 97092072, August 1998* (1998 EIR).

Specifically, the Project consists of the following amendments:

- Increase the tax increment limits for the Southwest Fresno GNRA and Fruit/Church Constituent Redevelopment Plans.
- Increase the time limit on the effectiveness of the Southwest Fresno GNRA and Fruit/Church Constituent Redevelopment Plans.
- Increase the time limits to receive tax increment and repay bonded indebtedness for the Southwest Fresno GNRA and Fruit/Church Constituent Redevelopment Plans.
- Increase the time limit on the Agency's authority to utilize eminent domain in both of the Constituent Project Areas. The eminent domain time limit extension would not be used for "occupied residential properties" within the Project Area, but eminent domain would be available for other nonresidential uses and for vacant residential properties.
- Augment existing 1998 EIR cultural resources mitigation:
 - Retain Mitigation Measure 3.15-4 from the 1998 EIR and add clarifying language that states the existing mitigation would require the City to complete intensive-level historic building surveys for the Project Area (Project Area Survey) to California Office of Historic Preservation (OHP) standards (as described in Instructions for Recording Historic Resources, Appendix 6: Types of Survey Activities). Phase I archaeological surveys would also be performed for these Constituent Project Areas concurrently with the intensive-level historic building surveys as part of the Project Area Survey.
 - Require that applicants follow a survey protocol to be applied within the Project Area for historic resources during the discretionary approval phase of a proposed development. Similar to certified language for Mitigation Measure 3.15-4 in the 1998 EIR, this approach would apply while the Project Area Survey is completed to allow the continued processing and approval of proposed Development Projects.

The time and debt limits to be extended and/or increased, respectively, are shown in Table 1, which describes existing terms of the Redevelopment Plans and identifies in detail the changes that would be made by the Project.

Table 1. Current and Proposed Constituent Project Area Time and Financial Limits

Proposed Amendment	Southwest Fresno GNRA		Fruit/Church	
	Current Limit	Proposed Limit	Current Limit	Proposed Limit
Extend the time limit on the effectiveness of the plan	1/14/2012	1/14/2022	10/7/2014	10/7/2024
Extend the time limit on the	1/14/2022	1/14/2032	10/7/2024	1/14/2034

payment of indebtedness and receipt of property taxes				
Extend the time limit for the utilization of eminent domain	12/17/2010	October 2021	12/17/2010	October 2021
Increase tax increment limit	\$113,000,000	\$339,000,000	\$21,000,000	\$63,000,000
Source: Keyser Marston Associates, Inc. 2010.				

Project Purpose and Objectives

As described in the 1998 EIR, the Agency has the following existing objectives for undertaking redevelopment activities within the Project Area:

- The elimination and prevention of the spread of blight and deterioration throughout the Project Area.
- The promotion of new and continuing private sector and government agency investment within the Project Area to prevent the loss of and to facilitate economic activity.
- The retention and expansion of existing businesses where possible by means of redevelopment and rehabilitation activities, and encouraging and assisting the cooperation and participation of owners, businesses, and public agencies in the revitalization of the Project Area.
- The expansion and improvement of the City's housing supply (inside and outside the Project Area), including opportunities for low- and moderate-income families and households.
- The elimination or amelioration of deficiencies, such as substandard vehicular circulation systems; inadequate water, sewer, and storm drainage systems; insufficient off-street parking; and other similar public facility and utility deficiencies adversely affecting the Project Area.

The primary objective of the Project is to allow the Agency to continue implementing a comprehensive economic development strategy to alleviate the conditions of "blight areas" affecting the Project Area. The provisions of the California Redevelopment Law (California Health and Safety Code Section 33000 et seq.) relative to tax increment limits, time limits on the effectiveness of a redevelopment plan, and use of eminent domain require the Agency to take the actions described above to continue undertaking effective redevelopment activities within the Project Area. The proposed updated mitigation measures would also allow the Agency to undertake its activities while providing for more effective consideration and protection of historic buildings.

Preparation of a Subsequent EIR

The attached NOP provides notice that the Lead Agency will be preparing a Subsequent EIR for the Project, based on the 1998 EIR. Section 15162 of the State CEQA Guidelines states that a Subsequent EIR will be prepared when any of the following situations exist, based on substantial evidence in light of the whole record:

- (a) When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:
 - (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

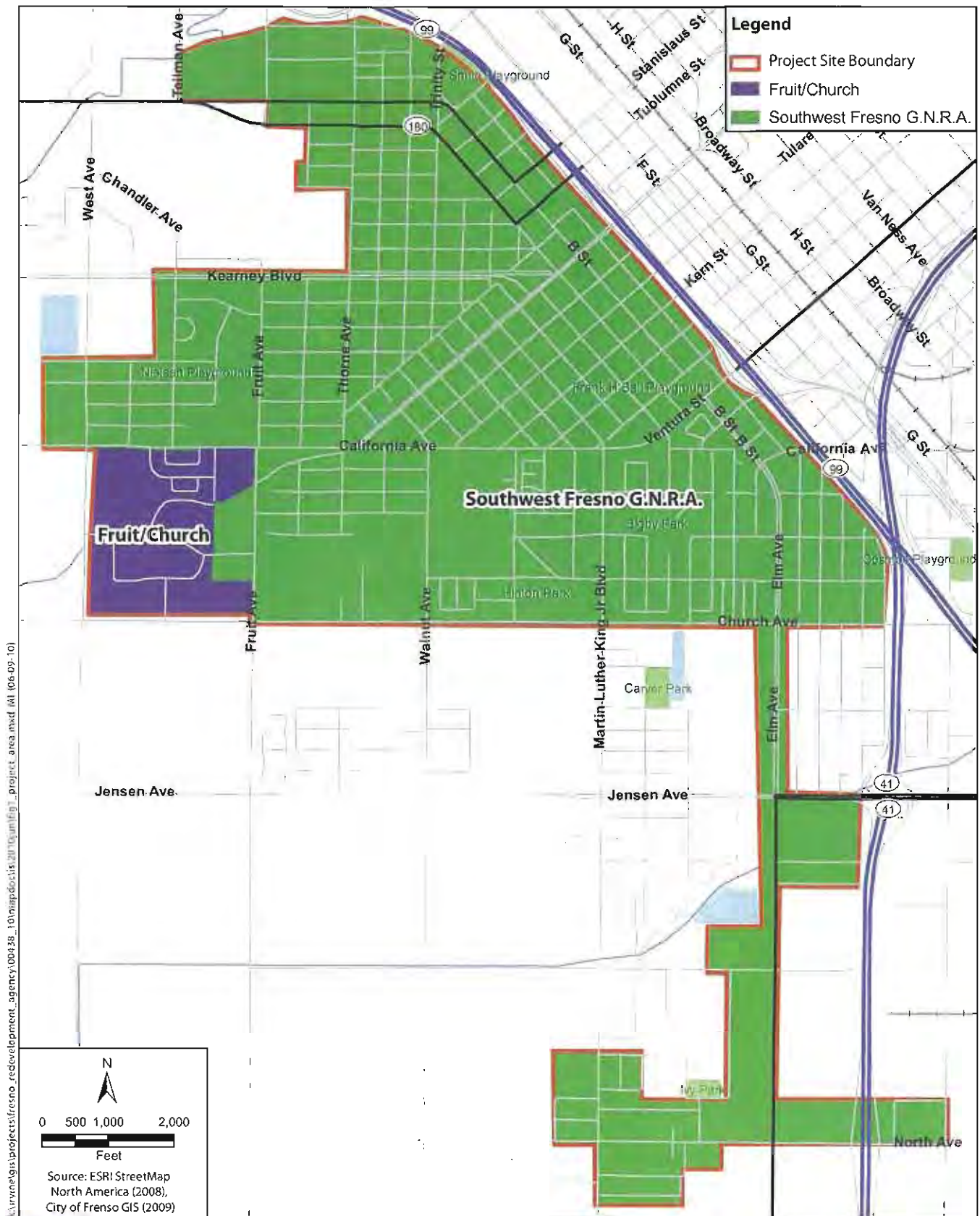


Figure 1
Project Area

(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:

(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.***

Consistent with State CEQA Guidelines Section 15162, the Subsequent EIR to be prepared for this Project will be based on the 1998 EIR. The Subsequent EIR will analyze the changes to the Project as set forth in the 1998 EIR to determine whether they would lead to new or more severe significant impacts relative to the impacts disclosed in the 1998 EIR. It will also examine whether the changes to the circumstances under which the Project is undertaken since the certification of the 1998 EIR would result in new significant environmental impacts or substantial increase in the severity of previously identified significant impacts.

Since the adoption of the 1998 EIR, new regulations, local standards, and statutes have gone into effect, and there are new circumstances that result in new information:

- New information is now available about greenhouse gas (GHG) emissions that will be considered. Since the certification of the 1998 EIR, Assembly Bill 32 of 2006 and Senate Bill 97 of 2007 have been enacted. These bills require that public agencies consider the indirect and direct environmental impacts of GHG emissions from their projects and mitigate significant GHG impacts to the extent feasible.
- The Project may result in a new or more severe impact that results in a cumulatively considerable net increase of any criteria pollutant for which the Project region is a nonattainment area for an applicable federal or state ambient air quality standard.
- There are likely additional historical resources not listed in the 1998 EIR that are eligible for listing as historic resources.
- There appears to be evidence that circumstances relative to future noise levels have substantially changed since certification of the 1998 EIR.
- The City's Urban Water Management Plan was updated in 2008.
- The City recently adopted a Sewer System Management Plan, which was not considered in the 1998 EIR.

The Subsequent EIR will determine whether the Project would result in new significant environmental impacts or substantial increases in the severity of previously identified significant impacts as a result of these new laws, regulations, and standards.

Upon its release for public review and comment, the Draft Subsequent EIR will be given the same notice as is required of all EIRs. When the time comes to consider approving the Project, the Lead Agency will consider the Subsequent EIR, and must make a finding for each significant impact identified in the Subsequent EIR.

Intended Uses of the Subsequent EIR

The Subsequent EIR will be used by the City Housing and Community Development Commission, City Planning Commission, Agency, and City Council when considering approval of the Project described above.

9. Surrounding Land Uses and Setting:

The Project Area is within southwestern part of the City and is surrounded by built land uses, including various residential, commercial, public facilities, and industrial land uses as well as some open space. Figure 2 shows the current land use designations within and surrounding the Project Area.

10. Other Public Agencies Whose Approval is Required:

- City Housing and Community Development Commission—recommend adoption of Amendments, Subsequent EIR, and Mitigation Monitoring and Reporting Program (MMRP) to City Council.
- City Planning Commission—recommend adoption of Amendments, Subsequent EIR, and MMRP to City Council.
- City Redevelopment Agency Board—adopt Amendments, Subsequent EIR, and MMRP.
- City Council—adopt Amendments, Subsequent EIR, and MMRP.

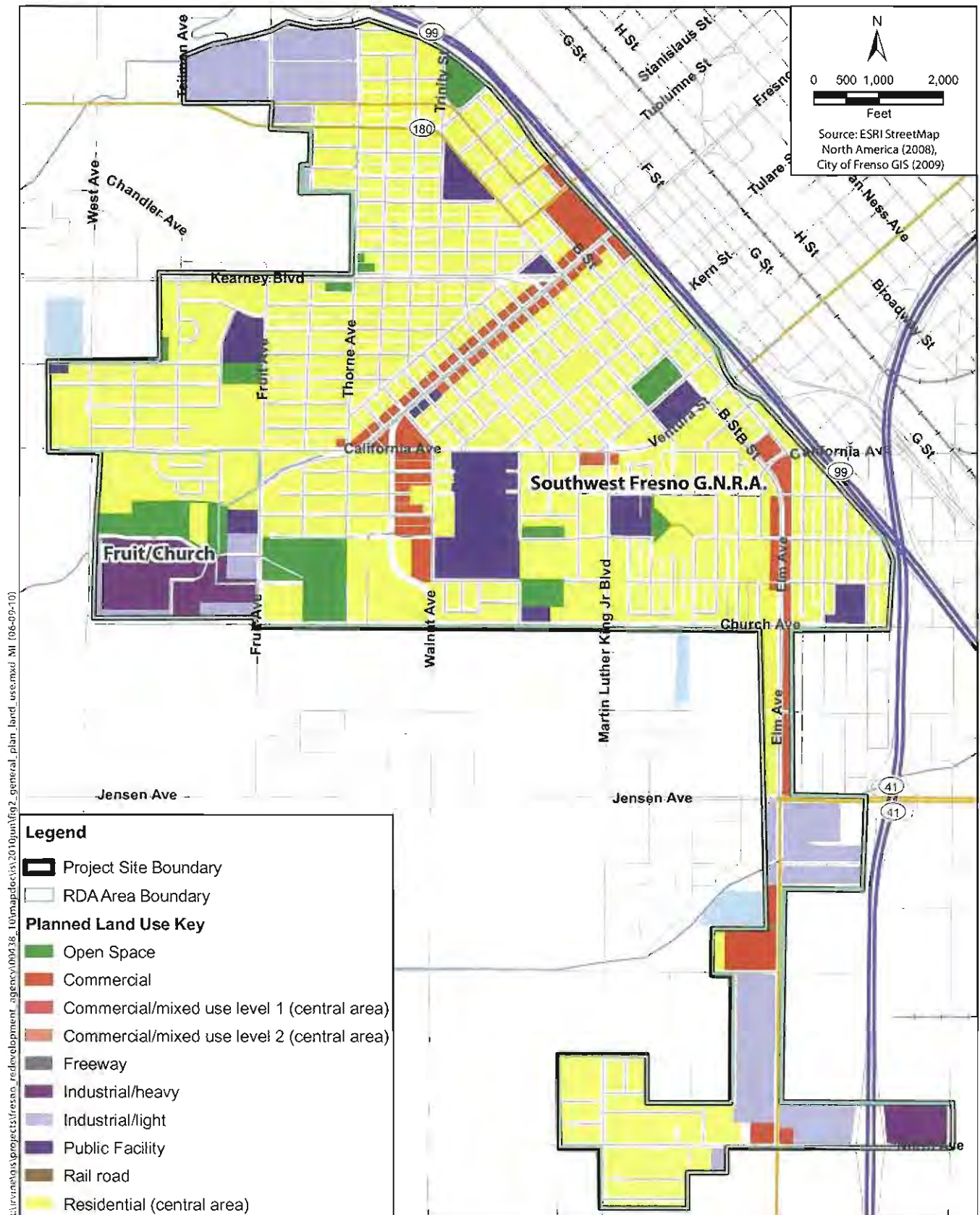


Figure 2
General Plan Land Use Designations

Environmental Factors Potentially Affected

The environmental factors checked below would potentially be affected by this project (i.e., the project would involve at least one impact that is a "Potentially Significant Impact"), as indicated by the checklist on the following pages.

- | | | |
|--|--|--|
| ☐ Aesthetics | ☐ Agricultural and Forestry | ☒ Air Quality |
| ☐ Biological Resources | ☒ Cultural Resources | ☐ Geology/Soils |
| ☒ Greenhouse Gas Emissions | ☐ Hazards and Hazardous Materials | ☐ Hydrology/Water Quality |
| ☐ Land Use/Planning | ☐ Mineral Resources | ☒ Noise |
| ☐ Population/Housing | ☐ Public Services | ☐ Recreation |
| ☐ Transportation/Traffic | ☐ Utilities/Service Systems | ☒ Mandatory Findings of Significance |

Determination

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions to the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☒ I find that the proposed project MAY have an impact on the environment that is "potentially significant" or "potentially significant unless mitigated" but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards and (2) has been addressed by mitigation measures based on the earlier analysis, as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the project, nothing further is required.

/David Martin/

June 14, 2010

Signature

Date

David Martin

Fresno Redevelopment Agency

Printed Name

For

Evaluation of Environmental Impacts

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained if it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an Environmental Impact Report (EIR) is required.
4. "Negative Declaration: Less than Significant with Mitigation Incorporated" applies when the incorporation of mitigation measures has reduced an effect from a "Potentially Significant Impact" to a "Less-than-Significant Impact". The lead agency must describe the mitigation measures and briefly explain how they reduce the effect to a less-than-significant level. (Mitigation measures from Section XVII, "Earlier Analyses", may be cross-referenced.)
5. Earlier analyses may be used if, pursuant to tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration [Section 15063(c)(3)(D)]. In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used. Identify and state where earlier analyses are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Incorporated," describe the mitigation measures that were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, when appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
 - a. the significance criteria or threshold, if any, used to evaluate each question; and
 - b. the mitigation measure identified, if any, to reduce the impact to a less-than-significant level.

10. The City of Fresno adopted its 2025 General Plan in [year] and certified a Master EIR (MEIR) for that plan. This Initial Study compares the significance conclusions of the 1998 EIR to those of the [year] MEIR and, where the MEIR identifies an additional or more severe significant effect, the Initial Study identifies this as an area to be discussed further in the Subsequent EIR.

		Potentially Significant Impact	Less-than- Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
I. Aesthetics					
Would the project:					
a.	Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b.	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings along a scenic highway?	☐	☐	☐	☒
c.	Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☐	☒
d.	Create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?	☐	☐	☒	☐

- a. **Less-Than-Significant Impact.** The Project Area is located within the southwestern part of the City. Like greater Fresno, the Project Area is generally level with little grade difference and most development is one to two stories high; therefore, the City's principal urban form is horizontal and spread out (City of Fresno 2002). The Project Area does not contain any significant landforms, and comprises a mixture of land uses that contain structures of varying age, size, and design. The predominant land use in the Project Area is older single-family residences (City of Fresno Redevelopment Agency 1998). The Project Area is surrounded by built land uses, including various residential, commercial, public facilities, and industrial land uses as well as some open space (see Figure 2). There are no scenic vistas or viewsheds located within the Project Area (City of Fresno Redevelopment Agency 1998). Development under the Project would result in new and renovated land uses that are compatible with the central urban core. Additionally, development of the Project would not block or preclude views to any area containing important or what would be considered visually appealing landforms. Therefore, no scenic vistas would be affected by the development of the Project, and impacts would be less than significant.
- b. **No Impact.** As discussed in I.a, no significant landforms or geologic features, including rock outcroppings, are located within the Project Area. The Project is not adjacent to or near any state highway that is designated or eligible to be listed on the California Department of Transportation (Caltrans) State Scenic Highway System (CSSHS). The CSSHS designates highways depending on the quantity of natural landscape that can be seen by travelers, the scenic quality of the landscape from a given segment of roadway, and the extent to which development intrudes upon the traveler's enjoyment of the view. The Project site is not located within or adjacent to any such landscape. The nearest eligible State Scenic Highways are State Route 168 (SR-168) and State Route 180 (SR-180) (California Department of Transportation 2010), which are well outside the City limits east of Fresno and found in the Sierra Nevada Mountain Range. There are no officially designated State Scenic Highways in Fresno County (California Department of Transportation 2010). Kearney Boulevard is designated by the Edison Community Plan as a Scenic Drive (City of Fresno Redevelopment

Agency 1998). However, future development would need to conform to the City's Urban Design Guidelines to ensure that future development would not significantly affect Kearney Boulevard or any other streetscape within the Project Area. Therefore, the Project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings along a scenic highway and there would be no impact.

- c. **No Impact.** The Project involves amendments and revisions to the Constituent Project Areas' Constituent Redevelopment Plans in order to allow the Agency to continue implementing a comprehensive economic development strategy to alleviate the conditions of blight in the Project Area. The physical blighting characteristics in the Project Area include: 1) buildings that are typically unsafe or unhealthy for persons to live or work in and 2) conditions that prevent or substantially hinder the viable use or capacity of buildings or lots (Keyser Marston Associates, Inc. 2010). Therefore, the Project Area meets the definition of "blighted areas" as defined by California Redevelopment Law (CRL) Section 33030 (effective January 1, 2008). As a continuation of the original 1998 EIR, the Project would beneficially enhance the existing visual character or quality of the Project Area by eliminating blight (Keyser Marston Associates, Inc. 2010). Additionally, future development in the Project Area would have to be consistent with City's current General Plan and applicable community and specific plan policies and requirements related to development standards and urban design as well as the City's Urban Design Guidelines (City of Fresno Redevelopment Agency 1998). As a result, development under the Project would result in new and renovated land uses that are compatible with the Project Area's surroundings. Therefore, the Project would not substantially degrade the existing visual character or quality of the Project Area and its surroundings and there would be no impact.
- d. **Less-Than-Significant Impact.** This Project would result in future development within the Project Area that would result in new sources of light or glare, and particularly from future parking areas (City of Fresno Redevelopment Agency 1998). Introduction of new lighting from the Project would include lights within and around future buildings, lighting for surface parking lots, and security lighting on the various future structures. However, the future light generated by the Project would be typical of urban development and is not substantially different than the level of lighting proposed at the time the 1998 EIR was certified. Additionally, the lighting for future development would be designed in accordance with City development standards and urban design, which addresses the issue of light and glare in the Project Area (City of Fresno Redevelopment Agency 1998). Therefore, the Project would not create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area and impacts would be less than significant.

II. Agricultural and Forestry Resources	Potentially Significant Impact	Less-than- Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
In determining whether impacts on agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts on forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project, and forest carbon measurement methodology provided in the Forest Protocols adopted by the California Air Resources Board. Would the project:				
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b. Conflict with existing zoning for agricultural use or conflict with a Williamson Act contract?	☐	☐	☐	☒
c. Conflict with existing zoning for, or cause rezoning of forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	☐	☐	☐	☒
d. Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e. Involve other changes in the existing environment that, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

- a. **No Impact.** The Project Area is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance under the California Department of Conservation Division of Land Resource Protection's Farmland Mapping and Monitoring Program (FMMP). According to the Fresno County Important Farmland 2006 map for east Fresno County, the entire Project Area is designated as "Urban and Built-Up Land" (California

Department of Conservation 2009). Therefore, the Project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to nonagricultural use and there would be no impact.

- b. **No Impact.** According to Table 3.1-1 of the 1998 EIR (City of Fresno Redevelopment Agency 1998) and the City of Fresno 2025 Fresno General Plan Land Use and Circulation Map (City of Fresno 2009), no portion of the Project Area is designated for agricultural use by the City. The Williamson Act applies to parcels consisting of at least 20 acres of Prime Farmland or at least 40 acres of land not designated as Prime Farmland. The purpose of the act is to preserve agricultural and open space lands by discouraging premature and unnecessary conversion to urban uses. The Williamson Act enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land for use as agricultural or related open space (California Department of Conservation 2007). The Project Area does not contain any land currently under a Williamson Act Land Use Contract (California Department of Conservation 2007). Therefore, the Project would not conflict with existing zoning for agricultural use or a Williamson Act contract and there would be no impact.
- c. **No Impact.** No portion of the Project Area is zoned for, and the Project would not cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g)) (City of Fresno 2010). There would be no impact.
- d. **No Impact.** There are no forests within the Project Area. Therefore, the Project would not result in the loss of forest land or conversion of forest land to non-forest use and there would be no impact.
- e. **No Impact.** As discussed above, the Project is within an urban area that has been designated as urban of built-up land by the FMMP. The site also is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance by the California Department of Conservation; is not zoned for agriculture; or is not currently under a Williamson Act Contract. The Project Area is also not zoned for, or would cause the rezoning of, forest land or timberland, and would not result in the loss of forest land or conversion of forest land to non-forest use. Therefore, the Project would not involve other changes in the existing environment that, due to their location or nature, could result in conversion of farmland to non-agricultural use or conversion of forest land to non-forest use and there would be no impact.

III. Air Quality	Potentially Significant Impact	Less-than- Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
When available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a. Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☒	☐	☐	☐
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is a nonattainment area for an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?	☒	☐	☐	☐
d. Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
e. Create objectionable odors affecting a substantial number of people?	☐	☐	☒	☐

- a. **No Impact.** The California Clean Air Act (CCAA) requires that local and regional air districts expeditiously adopt and prepare an air quality attainment plan if the district violates state ambient air quality standards. These plans must be designed to achieve an annual 5% reduction in district-wide emissions of each nonattainment pollutant or its precursors. The San Joaquin Valley Unified Air Pollution Control District (SJVUAPCD) is responsible for implementing strategies for air quality improvement within the San Joaquin Valley Air Basin (SJVAB), and has adopted attainment plans for the following pollutants: 8-hour ozone, carbon monoxide (CO), particulate matter (PM) less than 2.5 micron (PM_{2.5}), and PM less than 10 micron (PM₁₀).

A project is deemed inconsistent with air quality plans if it would result in population and/or employment growth that exceeds estimates included in the applicable air quality plan, which in turn, would generate emissions not accounted for in the emissions budget. Therefore, the proposed project must be evaluated to determine if it would generate population and employment growth and, if so, whether that growth would exceed rates included in the relevant air plans.

Since the primary objective of the Project is to propose amendments to time and financial limits found in the 1998 EIR, it is not considered growth or employment inducing. Moreover, the Project was included as part of the General Plan analysis (City of Fresno 2002) and therefore, has been addressed within the current General Plan, which contains provisions for complying with the local air quality plans. No specific developments identified as part of the Project are substantially different from what was analyzed in the

1998 EIR. Therefore, the Project is consistent with the applicable air quality plan and does not require subsequent evaluation. There would be no new or more severe impact.

- b. **Potentially Significant Impact.** The EPA recently classified the SJVAB as an extreme nonattainment area for the federal 8-hour ozone standard, which is a change from the severe nonattainment status disclosed in the 1998 EIR. As part of the Subsequent EIR analysis, the Agency will discuss how this status change could affect the Project.

A review of the district's *Guide for Assessing and Mitigating Air Quality Impacts* indicates that the district considers PM10 to be the primary pollutant of concern from construction activities, and that compliance with District Regulation VIII will constitute sufficient mitigation to reduce PM10 emissions to less-than-significant levels. The 1998 EIR therefore concludes that by adhering to SJVUAPCD regulation related to fugitive dust, future development in the Project Area would not result in significant short-term (i.e., construction) air quality impacts (City of Fresno Redevelopment Agency 1998). The 1998 EIR establishes mitigation to comply with current Fugitive Dust rules established by the SJVUAPCD as well as other established construction-period mitigation that includes site watering, high-wind considerations, transport covering, disturbance minimization, construction vehicle speed limits, sweeping requirements, and proper engine maintenance requirements (City of Fresno Redevelopment Agency 1998).

The 1998 EIR also establishes mitigation for operations-related air quality effects by requiring that all future development within the Project Area comply with current review and permitting procedures developed by the SJVUAPCD as well as comply with other established long-term mitigation, which includes site design criteria for commercial and industrial areas, required circulation improvements, building design criteria, and pedestrian and bicycle access accommodation (City of Fresno Redevelopment Agency 1998).

The 1998 EIR also acknowledges that "although the mitigation measures [found in the EIR] would temper air quality effects, long-term air quality effects would be significant" (City of Fresno Redevelopment Agency 1998). Development as a result of the Project could generate substantial emissions from operations that could violate air quality standards. Emissions associated with future development could exceed thresholds established by the SJVUAPCD. The significance of this impact was disclosed in the 1998 EIR and, except in the area of ozone attainment, the Project would not result in new or more severe impacts in this area. This issue will be further discussed in the Subsequent EIR.

- c. **Potentially Significant Impact.** The SJVAB is classified a nonattainment area for the federal 8-hour ozone and PM2.5 standards, and a maintenance area for the PM10 and CO standards. (U.S Environmental Protection Agency 2010). The SJVAPCD has adopted thresholds for operational-related emissions of ozone precursors (i.e. reactive organic gases and oxides of nitrogen) and PM10. In addition, SJVUAPCD Rule 2210 also includes thresholds for stationary sources as. In June 2010, a number of these thresholds, as outline in Rule 2210 will become more stringent than what was included in the 1998 EIR (Dyer *pers. comm.*).

CEQA defines cumulative impacts as two or more individual effects that, when considered together, are considerable or that compound or increase other environmental impacts. The 1998 EIR acknowledges that "[c]umulative effects related to the build-out of the redevelopment area would be significant" (City of Fresno Redevelopment Agency 1998). Due to thresholds and standards becoming more stringent since the certification of the 1998

EIR, the Project may result in a new and more severe impact that results in a cumulatively considerable net increase of any criteria pollutant for which the Project region is a nonattainment area for an applicable federal or state ambient air quality standard. This issue will be further discussed in the Subsequent EIR.

- d. **Less-Than-Significant Impact.** Sensitive receptors include people within schools, daycare centers, medical facilities, and other facilities that house or provide services for young children, elderly persons, or people with existing respiratory health problems. The proposed area currently contains a number of schools: 1) Columbia Elementary School, 2) Kirk Preschool/Elementary School, 3) New Millennium Institute, 4) Lincoln Elementary School, 5) King Elementary School, 6) Computech Middle School, 7) Edison High School, 8) West Fresno Middle School, 9) Steven P. Gordon Preparatory School, and 10) Edison Bethune Charter School (Google Earth 2010). There are also residents within the Project Area that could be considered sensitive receptors. Industrial and commercial uses are typically not considered sensitive receptors, but these uses are considered to be workers sites, and, in certain situations, worker sites are considered sensitive receptors.

Construction activities associated with future development have the potential to generate dust and other airborne pollutants from construction emissions. These activities also have the potential to expose workers and current and future residents to air emissions that would likely be produced by construction of the Project. Future operations within the Project Area also have the potential to contribute to regional ozone levels and deterioration of ambient air quality.

The 1998 EIR acknowledges that future development in the Project Area would result in air quality impacts that could affect sensitive receptors (see III.b for more information). The Project was included as part of the current General Plan analysis and has been addressed by the current General Plan for sensitive receptors. Future development as a result of the Project must be consistent with the current General Plan and future General Plan updates. Therefore, the Project would not have a new or more severe effect in exposing sensitive receptors to substantial pollutant concentrations and there would be no impact that must be analyzed in the Subsequent EIR.

- e. **Less-Than-Significant Impact.** Future development associated with implementation of the Project may generate detectable odors from heavy-duty equipment exhaust and paving activities. These odors are expected to be infrequent, temporary, and dissipate relatively quickly. Future operational odors could occur as a result of the Project, and particularly industrial operations. If continually prevalent, odors may be considered objectionable by individuals living in the area. Nevertheless, such odors are common in urban areas and were found in the Project Area in 1998 when the 1998 EIR was certified. The 1998 EIR concluded that because uses that generate or use odorous compounds would be permitted through a conditional use permit (CUP) (City of Fresno Redevelopment Agency 1998), potential impacts from odorous compounds are effectively mitigated. The CUP process has not changed since 1998. Therefore, the Project would not have a new or more severe effect in creating objectionable odors that affect a substantial number of people and there would be no impact that must be analyzed in the Subsequent EIR.

IV. Biological Resources	Potentially Significant Impact	Less-than- Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
Would the project:				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☒	☐
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marshes, vernal pools, coastal wetlands, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☒	☐
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f. Conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

- a. **No Impact.** The California Natural Diversity Database (CNDDB) listed the following special-status species with potential for occurrence within the U.S. Geological Survey (USGS) Fresno South 7.5-minute quadrangle map (California Department of Fish and Game 2010):

- California tiger salamander (*Ambystoma californiense*; federally threatened and state candidate);
- hoary bat (*Lasiurus cinereus*);
- pallid bat (*Antrozous pallidus*; state species of special concern);
- western mastiff bat (*Eumops perotis californicus*; state species of special concern);

- San Joaquin pocket mouse (*Perognathus inornatus inornatus*);
- molestan blister beetle (*Lytta molesta*);
- Antioch efferian robberfly (*Efferia antiochi*);
- Hurd's metapogon robberfly (*Metapogon hurdi*);
- burrowing owl (*Athene cunicularius*; state species of special concern);
- caper-fruited tropidocarpum (*Tropidocarpum capparideum*);
- California jewel-flower (*Caulanthus californicus*; federally and state endangered);
- Madera leptosiphon (*Leptosiphon serrulatus*); and
- California satintail (*Imperata brevifolia*).

Undisturbed native habitat does not exist within the Project Area (City of Fresno Redevelopment Agency 1998). The lack of suitable habitat, significant disturbance in the Project Area, and unsuitable hydrology or other critical resources precludes all of the above listed species. Additionally, the 1998 EIR concluded that there are no species identified as a candidate, sensitive, or special-status species within the Project Area because such species have been extirpated (City of Fresno Redevelopment Agency 1998). This situation has not changed. Therefore, the Project would not have a new or more severe effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game (CDFG) or U.S. Fish and Wildlife Service (USFWS) and there would be no impact that must be analyzed in the Subsequent EIR.

- b. **Less-Than-Significant Impact.** The National Wetlands Inventory (NWI) was reviewed for riparian resources. The NWI database search determined that there are three "riverine" (i.e., riverside or riparian) water features that traverse the Project Area (U.S. Fish and Wildlife Service 2010). These features are associated with irrigation conveyance and flood control and were in existence in 1998. Like in 1998, future development would have to comply with federal and state law regarding wetlands in accordance with Sections 401 and 404 of the Clean Water Act (CWA) as well as applicable California Fish and Game Code if they were to affect these riparian areas. The situation has not changed since 1998. A review of the CNDDDB was conducted for the Project Area, and this review determined that there are no sensitive natural communities tracked by the CNDDDB that are found within, or in the vicinity of, the Project Area (California Department of Fish and Game 2010). Therefore, the Project would not have a new or more severe adverse effect on any riparian habitat or other sensitive natural community that would require analysis in the Subsequent EIR.
- c. **Less-Than-Significant Impact.** The National Wetlands Inventory (NWI) was reviewed for wetland resources. The NWI database search determined that there are three "riverine" (i.e., riverside or riparian) and one "freshwater pond" water features that traverse the Project Area (U.S. Fish and Wildlife Service 2010). These features are associated with irrigation conveyance and flood control and in existence in 1998. Like in 1998, future development would have to comply with federal and state law regarding wetlands in accordance with Sections 401 and 404 of the Clean Water Act (CWA) as well as applicable California Fish and Game Code. The situation has not changed since 1998. Therefore, the

Project would not have a new or more severe adverse effect on federally protected wetlands that would require analysis in the Subsequent EIR.

- d. **No Impact.** Although some wildlife species may on occasion pass through the Project Area, there is no conclusive evidence that any portion of the Project Area serves as an important linkage between extant wildlife habitats. Surrounding urban development further diminishes the possibility that the Project Area is important for terrestrial wildlife movement, and severs linkage between the open space in the Project Area and surrounding open areas. The Project Area is not considered an integral part of a regional wildlife corridor. The situation has not changed since certification of the 1998 EIR. Therefore, the Project would not have a new or more severe adverse effect on wildlife movement or corridors that would require analysis in the Subsequent EIR.
- e. **No Impact.** The City of Fresno has a tree preservation ordinance and future development would have to comply with this ordinance. The 1998 EIR also requires that future development within the Project Area not conflict with any local policies or ordinances, including protection of biological resources (City of Fresno Redevelopment Agency 1998). The situation has not changed since certification of the 1998 EIR. Therefore, the Project would not have a new or more severe adverse effect on wildlife movement or corridors that would require analysis in the Subsequent EIR.
- f. **No Impact.** There is no adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan that is applicable to the Project Area. There would be no impact.

V. Cultural Resources		Potentially Significant Impact	Less-than- Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
Would the project:					
a.	Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	☒	☐	☐	☐
b.	Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	☒	☐	☐	☐
c.	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐
d.	Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☒	☐

- a. **Potentially Significant Impact.** The Project Area contains some historic structures that are eligible for listing on the Local Register of Historic Resources, California Register of Historic Resources, and/or National Register of Historic Places (City of Fresno Redevelopment Agency 1998). The 1998 EIR discloses that the general area south of Ventura Avenue and east of Elm Avenue along the SR-99 corridor was part of the Volga German community of West Fresno (City of Fresno Redevelopment Agency 1998). In particular, the Steinhauer House at 450 C Street was determined eligible for listing as a significant vestige of this community (City of Fresno Redevelopment Agency 1998). The 1998 EIR indicated that Kearney Boulevard Sign at Fresno Street and Kearney Boulevard, as well as the entire Kearney Boulevard had at one time been considered for listing on the local register and, if eligible, on the National Register. There are also likely additional historical resources not listed in the 1998 EIR that are eligible for listing as historic resources. As part of the Project, the Agency is proposing to augment existing mitigation in the 1998 EIR by retaining Mitigation Measure 3.15-4 and adding clarifying language that states the existing mitigation would require the City to complete an intensive-level historic building survey and Phase I archaeological survey for the Project Area. Additionally, the Project would require applicants follow a survey protocol to be applied within the Project Area for historic resources during the discretionary approval phase of a proposed development. Specifically, the existing mitigation to be augmented is Mitigation Measure 3.15-4:

The City shall conduct a Historic Building Survey of the Merger II Project Area [Project Area]. Said Survey shall commence by no [later] than January 1, 2000. The City shall consider and implement the recommendations of the Survey to the extent feasible.

To date, this mitigation measure has not been implemented. These issues will be further addressed in the Subsequent EIR.

- b. **Potentially Significant Impact.** The 1998 EIR determined that the Project Area does not contain any known archaeological resources but, given the settlement and development

history of the area, the potential to encounter previously unknown buried resources is considered to be high (City of Fresno Redevelopment Agency 1998). This issue will be further discussed in the Subsequent EIR.

- c. **Less-Than-Significant Impact.** As described in I.b, the Project Area does not contain any unique geologic features. There is mitigation in the 1998 EIR (Mitigation Measure 3.15-1) for previously unknown paleontological resources that reduce impacts to less than significant. No changes have occurred since certification of the 1998 EIR. Therefore, the Project would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature and this issue does not require further analysis in the Subsequent EIR.
- d. **Less-Than-Significant Impact.** Mitigation Measure 3.15-1 in the 1998 EIR requires that, if human remains are discovered during future development, operations shall cease after discovery, and that the County Coroner and the Native American Heritage Commission (NAHC), if the remains are thought to be Native American in origin, shall be immediately contacted (City of Fresno Redevelopment Agency 1998). Additionally, if human remains were discovered, further excavation or disturbance would be prohibited pursuant to Section 7050.5 of the California Health and Safety Code. If Native American remains were identified, Section 7050.5 of the California Health and Safety Code and Section 5097.98 of the Public Resources Code provide specific measures for addressing the remains. No substantive changes have occurred since certification of the 1998 EIR. Therefore, the Project would not require further analysis in the Subsequent EIR.

VI. Geology and Soils	Potentially Significant Impact	Less-than- Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
Would the project:				
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
1. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
2. Strong seismic ground shaking?	☐	☐	☒	☐
3. Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
4. Landslides?	☐	☐	☐	☒
b. Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c. Be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project and potentially result in an onsite or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse?	☐	☐	☒	☐
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☒	☐
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems in areas where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒

- a. 1.) **No Impact.** The Alquist-Priolo Earthquake Fault Zone Act (Alquist-Priolo Act) was passed in 1972 to mitigate the hazard of surface faulting to structures used for human occupancy. Under the Alquist-Priolo Act, the California State Geologist identifies areas in the state of California that are at risk from surface fault rupture. The Alquist-Priolo Act's main purpose is to prevent the construction of buildings used for human occupancy on the trace of active faults (California Geological Survey 2007), which may be subject to fault rupture from a seismic event. According to California Geological Survey Special Publication No. 42 (Interim Revision 2007), the entire county of Fresno does not contain any earthquake fault zones, as defined by the Alquist-Priolo Act (California Geological Survey 2007). No substantive changes have occurred since certification of the 1998 EIR indicating that the

Project would result in a new or more severe impact. Therefore, the Project would not require further analysis in the Subsequent EIR.

2.) Less-Than-Significant Impact. According to the 1998 EIR, the Fresno area is susceptible to earthquakes (City of Fresno Redevelopment Agency 1998). According to the California Geological Survey, the closest major active fault systems are to the east of Fresno County in Mono and Inyo Counties, and in the Sierra Nevada Mountain Range over 50 miles away (California Geological Survey 2007). Structures built within the Project Area would be required to be constructed in accordance with the City's established building procedures (City of Fresno Redevelopment Agency 1998), including compliance with the Uniform Building Code (UBC) and California Building Code (CBC) and the preparation of a preliminary soils report prior to subdivision map review. Recommendations in the preliminary soils report must be incorporated into future development design. The UBC/CBC would require adherence to all modern earthquake standards, including those relating to soil characteristics. No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact. Therefore, the Project would not require further analysis in the Subsequent EIR

3.) Less-Than-Significant Impact. Liquefaction is defined as the transformation of granular material from a solid state into a liquefied state as a consequence of increased pore-water pressure. Seismically-induced liquefaction occurs when loose, water-saturated sediments of relatively low density are subjected to extreme shaking that causes soil to lose strength or stiffness because of increased pore water pressure. The loss could cause a failure or the inability of the subsurface layers to support overlying structures and is generally characterized by settlement, uplift on structures, and an increase in lateral pressure on buried structures. The 1998 EIR states that the Project Area does not contain unstable earth conditions or unique geological or physical conditions, including conditions that could cause seismic-related ground failure (such as liquefaction) (City of Fresno Redevelopment Agency 1998). Also, as stated in VI.a.2, development would be required to implement soil treatment measures as described in a preliminary soils report. No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact. Therefore, the Project would not require further analysis in the Subsequent EIR.

4.) No Impact. A strong earthquake could trigger landslides or slope failures on steep slopes. The common types of landslides induced by earthquakes are bluff and stream bank failures, rock falls, and soil slips on steep slopes. Because the Project Area is located on flat topography and is not located adjacent to any steep slopes or areas that would otherwise be subject to landslides, impacts from seismically induced landslides would not occur, and there would be no impact.

- b. **Less-Than-Significant Impact.** Future construction activities have the potential to result in erosion, sedimentation, and the discharge of construction debris from a future development site. Clearing of vegetation and grading activities, for example, could lead to exposed or stockpiled soils susceptible to peak storm water runoff flows and wind forces. The compaction of soils by heavy equipment may minimally reduce the infiltration capacity of soils (exposed during construction) and increase runoff and erosion potential. The presence of large amounts of raw materials for construction, including concrete, asphalt, and slurry, may lead to stormwater runoff contamination. If uncontrolled, these materials could lead to

erosion problems, including sediment-laden runoff and wind-driven erosion. All construction activities associated with the Project would be conducted in accordance with the requirements of the National Pollution Discharge Elimination System (NPDES) construction stormwater program. As described in the 1998 EIR, most future development would be required to obtain a NPDES General Permit for Construction Activities (Permit No. CAS000002), which is handled during the review and approval process of grading and drainage plans (City of Fresno Redevelopment Agency 1998). The NPDES construction stormwater program also requires the development of a Stormwater Pollution Prevention Plan (SWPPP) to be implemented for each future development that disturbs at least 1 acre (or less than 1 acre if part of a larger common plan of development or sale) to ensure that stormwater flows do not result in sedimentation or pollutant conveyance off site. In order to achieve this goal, the SWPPP specifies that best management practices (BMPs) be used in order to prevent construction pollutants from contacting stormwater and to stop all products of erosion from moving off site into receiving waters. The City also requires that construction-related drainage remain on site (City of Fresno Redevelopment Agency 1998).

- c. **Less-Than-Significant Impact.** See VI.a.3 for more information. Therefore, the Project would not be located on a geologic unit or soil that is unstable or that would become unstable as a result of the Project and potentially result in an onsite or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse. No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact. Therefore, the Project would not require further analysis in the Subsequent EIR.
- d. **Less-Than-Significant Impact.** See VI.a.3 for more information. Therefore, if future development within the Project Area were to be located on expansive soil, as defined in Table 18-1-B of the UBC (1994), recommendations from the preliminary soils report would mitigate soil hazard impacts. No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact. Therefore, the Project would not require further analysis in the Subsequent EIR.
- e. **No Impact.** Future development within the Project Area would not use septic tanks or other alternative wastewater disposal systems to dispose of wastewater. Future development would be connected to, and served by, the existing sewer system within the Project Area, the flow from which would be treated at one of the City's existing or future new or expanded wastewater treatment plants. See "Utilities and Service Systems" below for information about sewer systems and wastewater treatment facilities. No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact. Therefore, the Project would not require further analysis in the Subsequent EIR.

VII. Greenhouse Gas Emissions	Potentially Significant Impact	Less-than- Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
Would the project:				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☒	☐	☐	☐
b. Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☒	☐	☐	☐

- a. **Potentially Significant Impact.** A discussion of global warming impacts is now required by the CEQA Guidelines. It is also the intent of the State Legislature (as expressed in its adoption of Assembly Bill 32, the California Climate Solutions Act of 2006) that global warming poses significant adverse effects to the environment of the state of California and the entire world. All future development would generate some quantity of greenhouse gases (GHG) during its construction and operational period, and would contribute to cumulative global GHG emissions. The Subsequent EIR will include a discussion of the Project's potential to contribute cumulatively considerable amounts of GHG emissions and will evaluate the potential impacts in the context of global warming as a cumulative impact.

- b. **Potentially Significant Impact.** The draft Air Quality Update (City of Fresno 2009a), released in May 2009, proposes an amendment [Policy G-1B-a(2)] whereby the City:

After protocols and parameters for GHG analysis, inventory, and benchmarking are ratified by the State of California and the SJVAPCD, the City shall participate in GHG emission inventory and benchmarking efforts to evaluate the current status of emissions for the incorporated City and for City facilities, and shall use this information to set appropriate targets for the City's proportionate responsibility to achieve GHG reductions in order to achieve compliance with AB32 mandates to roll back GHG levels to 1990 levels.

Given that the City has not yet performed the GHG inventory nor prepared an associated plan to achieve reduction targets, it is unknown whether the Project would conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases. These issues will be further discussed in the Subsequent EIR.

The SJVAPCD adopted "Guidance for Valley Land-use Agencies in Addressing GHG Emissions Impacts for New Projects Under CEQA" in December 2009. Although this is not a plan or policy for reducing GHG emissions, the Subsequent EIR's GHG emissions analysis will consider the recommendations of this guidance.

VIII. Hazards and Hazardous Materials		Potentially Significant Impact	Less-than- Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
Would the project:					
a.	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b.	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c.	Emit hazardous emissions or involve handling hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☒	☐
d.	Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☒	☐
e.	Be located within an airport land use plan area or, where such a plan has not been adopted, be within two miles of a public airport or public use airport, and result in a safety hazard for people residing or working in the project area?	☐	☐	☒	☐
f.	Be located within the vicinity of a private airstrip and result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
g.	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
h.	Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☒	☐

- a. **Less-Than-Significant Impact.** Hazardous substances typically used for construction, such as paints, solvents, and cleaners, would be transported and used for future development. Also, grading and construction activities would require the transport, storage, use, and/or disposal of hazardous materials such as fuels and greases for the fueling/servicing of construction equipment. Substances may also be stored in temporary storage tanks/sheds that would be located on site. Although these types of materials are not acutely hazardous, they are classified as hazardous materials and create the potential for accidental spillage, which could expose workers. Compliance with the requirements set forth in U.S. Code and

California Health and Safety Code, under the direct oversight of Fresno Fire Department and Fresno County Health Department, would be required for future development.

Operations of future development, depending on the type of development, could require the use or storage of acutely hazardous materials. Regardless of the development, some amount of hazardous materials may be used for regular maintenance and cleaning of commercial businesses and residences, but these materials are usually not considered a significant risk to health and safety, and use, handling, and storage of hazardous materials would be expected to be in compliance with the appropriate safety standards. According to the 1998 EIR, all future development, as a standard matter of approval, would require Fresno Fire Department, City of Fresno Development Department, and Fresno County Health Department review, and conditions could be placed on development to ensure compliance with applicable codes and regulation (City of Fresno Redevelopment Agency 1998). Areas within the Project Area that are zoned for industrial uses that may use or store hazardous waste, but these uses would be required to obtain a CUP from the City that would place conditions upon such development to ensure public health and safety (City of Fresno Redevelopment Agency 1998). Additionally, all future development would have to fully comply with applicable federal, state, and local law regarding the transport, use, and disposal of hazardous materials as well as develop and submit business response plans and, if necessary, Risk Management and Prevention Programs, as required by the City. No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact. Therefore, the Project would not require further analysis in the Subsequent EIR.

- b. **Less-Than-Significant Impact.** As discussed above, hazardous substances would be used in the construction and operation of future development within the Project Area. The risk of accidental release or explosion is possible. However, as described in VIII.a, all future development would require Fresno Fire Department, City of Fresno Development Department, and Fresno County Health Department review, and conditions could be placed on development to ensure compliance with applicable codes and regulation. Additionally, for future development that has a reasonable possibility of releasing hazardous materials into the environment, the City would require the development of a business response plan and, if necessary, a Risk Management and Prevention Program. No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact. Therefore, the Project would not require further analysis in the Subsequent EIR.
- c. **Less-Than-Significant Impact.** There are a number of schools within the Project Area (see III.d for a list of the schools), and additional schools may be developed in the future. As discussed in VIII.a and VIII.b, for future development that has a reasonable possibility of releasing hazardous materials into the environment, the City would require the development of a business response plan and, if necessary, a Risk Management and Prevention Program. With proper implementation of necessary plans and programs, future development within the Project Area would not emit hazardous emissions or involve handling hazardous or acutely hazardous materials, substances, or waste that would result in a significant adverse risk to a nearby existing or proposed school. No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact. Therefore, the Project would not require further analysis in the Subsequent EIR.

- d. **Less-Than-Significant Impact.** The Project Area contains a number of active sites that are included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 (Cortese List): 1) Commercial Electroplaters (2940 S. Elm Avenue) and 2) South Fresno PCE groundwater plume (South Fresno area) (California Department of Toxic Substance Control 2007). Each of these sites is considered “active” by the California Department of Toxic Substance Control (DTSC), but none of the sites are a “Super Fund” site (California Department of Toxic Substance Control 2007). The Commercial Electroplaters site was not “active” during the preparation of the 1998 EIR (California Department of Toxic Substance Control 2007). An Imminent and Substantial Endangerment Order was issued for the Commercial Electroplaters site in October 2001, and DTSC required that a Preliminary Endangerment Assessment (PEA) be conducted (California Department of Toxic Substance Control 2007). Remediation of these sites is governed by the DTSC, which is charged with conducting and overseeing cleanups for sites found on the Cortese List. Additionally, any future development on a Cortese List site would require Fresno Fire Department, City of Fresno Development Department, and Fresno County Health Department review, and conditions could be placed on development to ensure compliance with applicable codes and regulation (City of Fresno Redevelopment Agency 1998). Additionally and in recognition that redevelopment and reuse is important in the remediation of future hazardous waste sites, the EPA has established the “Brownfield” grants program to further redevelopment activities on such sites, and this money could be used within the Project Area for future development on contaminated sites (City of Fresno Redevelopment Agency 1998). No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact. Therefore, the Project would not require further analysis in the Subsequent EIR.
- e. **Less-Than-Significant Impact.** A significant portion of the northwestern part of the Project Area is located within Traffic Pattern Zones of the *Fresno-Chandler Downtown Airport Master and Environs Specific Plan* (Airport Plan) adopted on April 13, 1999, which was after adoption of the 1998 EIR. The Project Area is adjacent to the (now named) Chandler Downtown Executive Airport (510 W. Kearney Boulevard). The airport can only accommodate single-wheeled aircraft less than 17,000 pounds (FltPlan.com 2009). The airport has a B-1 Airport Reference Code, which means it is designed to handle 95% of all general aviation aircraft weighing less than 12,500 pounds (City of Fresno 2005). A significant portion of the northwestern part of the Project Area are located within the 60 and 65 community noise exposure level (CNEL) noise contours and any of the approach protection zones of the airport. Land uses within Traffic Pattern Zones are restricted to a maximum allowable intensity of use (people per acre) for nonresidential uses of 150 people per acre. Future development of any new residential uses would be allowed subject to requirements of the Airport Plan. Given the modest size of the airport and because future development would be required to comply with the Airport Plan, future development would not result in building heights in close proximity that could affect landing and takeoff approaches nor expose people to undue hazards. No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact. Therefore, the Project would not require further analysis in the Subsequent EIR.

- f. **No Impact.** The Project Area is not located within the vicinity of a private airstrip and therefore, would not result in a safety hazard for people residing or working in the Project Area. See VIII.e for more information. There would be no impact.
- g. **Less-Than-Significant Impact.** Future construction within the Project Area could cause temporary detours and lane closures on streets, but it is the City's standard practice to coordinate construction activities with emergency service providers and encroachment permits would be required within City right-of-ways (City of Fresno Redevelopment Agency 1998). As described in the 1998 EIR, future development within the Project Area is required to comply with Fresno Fire Department, City of Fresno Development Department, and Fresno County Health Department codes and regulations, including applicable emergency response and evacuation plans (City of Fresno Redevelopment Agency 1998). No substantive changes have occurred since certification of the 1998 EIR indicating that the project would result in a new or more severe impact. Therefore, the Project would not require further analysis in the Subsequent EIR.
- h. **Less-Than-Significant Impact.** The Project Area is predominantly surrounded by existing urban development and is not located adjacent to a wildland area. Some of the edge of the Project Area is located adjacent to agricultural land, but these areas are maintained for such purposes and fuel loads are not allowed to accumulate at within these lands that could cause catastrophic fires that would affect structures within the Project Area. The future development would consist of residential, commercial, and industrial development with appreciable amounts of impervious surfaces and therefore, is not susceptible to wildland fires. Additionally, periodic weed abatement efforts are required in the Project Area in accordance with City standards. Therefore, wildland fires do not have the potential to affect the site, and impacts are less than significant.

IX. Hydrology and Water Quality		Potentially Significant Impact	Less-than- Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
Would the project:					
a.	Violate any water quality standards or waste discharge requirements?	☐	☐	☒	☐
b.	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge, resulting in a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☒	☐
c.	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation onsite or offsite?	☐	☐	☒	☐
d.	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding onsite or offsite?	☐	☐	☒	☐
e.	Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐
f.	Otherwise substantially degrade water quality?	☐	☐	☒	☐
g.	Place housing within a 100-year flood hazard area, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒
h.	Place within a 100-year flood hazard area structures that would impede or redirect floodflows?	☐	☐	☒	☐
i.	Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☒	☐
j.	Contribute to inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒

- a. **Less-Than-Significant Impact.** Future construction within the Project Area has the potential to result in erosion, sedimentation, and the discharge of construction debris.

Clearing of vegetation and grading activities, for example, could lead to exposed or stockpiled soils susceptible to peak stormwater runoff flows. The compaction of soils by heavy equipment may minimally reduce the infiltration capacity of soils (exposed during construction) and increase runoff and erosion potential. The presence of significant amounts of raw materials for construction, including concrete, asphalt, and slurry, may lead to stormwater runoff contamination. This has not changed since the certification of the 1998 EIR. If uncontrolled, these materials could lead to water quality problems, including sediment-laden runoff, prohibited non-stormwater discharges, and ultimately the degradation of downstream receiving water bodies. Construction activities that disturb at least 1 acre (or less than 1 acre if part of a larger common plan of development or sale) would be required to obtain coverage under the Statewide General Construction NPDES permit and prepare a SWPPP to minimize the potential runoff water quality impacts associated with construction. By obtaining coverage under the statewide NPDES General Permit for Construction Activities (Permit No. CAS000002) and the related preparation of a SWPPP, future site-specific construction activities would not violate any water quality standards or waste discharge requirements during the construction period and impacts would be less than significant.

Nonpoint source pollution is caused by surface runoff that picks up and carries away natural and human-made pollutants, depositing them into lakes, rivers, wetlands, coastal waters, and groundwater. Surface parking areas especially contribute to nonpoint source pollution (e.g., oil, grease, radiator fluid, pesticides, and excess fertilizer from landscape maintenance activities) washed into stormwater conveyance structures during rain events. As a result, urban development can result in the pollution of offsite drainages and aquifers. Future development must comply with the NPDES permit (NPDES No. CA0083500) and Waste Discharge Requirements (WDR) order (Order No. 5-01-048) issued by the Central Valley Regional Water Quality Control Board (CVRWQCB) for stormwater conveyance flows in Fresno County (Central Valley Regional Water Quality Control Board 2001). These 2001 NPDES and WDR standards are more protective than the 1998 stormwater quality standards. Future development in the Project Area would be subject to the requirements of the NPDES permit and WDR order, which are met in the Fresno area through compliance with the City and Fresno Metropolitan Flood Control District grading and drainage standards (City of Fresno Redevelopment Agency 1998). No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact. Therefore, the Project would not require further analysis in the Subsequent EIR.

- b. **Less-Than-Significant Impact.** Future development within the Project Area would incrementally increase the demand for potable water. The majority of the water supply for the Fresno area is obtained through percolated and recharged groundwater (70% to 85% during low-demand winter periods and high-demand summer periods, respectively) (City of Fresno 2009b). According to the City's Urban Water Management Plan (UWMP), there are "no projected supply shortfalls" in water supply contingent upon the timely implementation of the Planned Supply Projects and Programs (UWMP, 4-15) (a significant portion of which is obtained from groundwater) for normal, single dry, and multiple dry year scenarios ending in 2010, 2015, 2020, and 2030 provided that future development is consistent with the General Plan (City of Fresno 2008). The City's Department of Public Utilities notes that, if proposed future development within the Project Area is consistent with the General Plan

and future updates, then development has been accounted for in the UWMP provided that development does not exceed land use based water allocations identified in the UWMP by constructing high water use characteristics, e.g., water features, excessive amount of landscaping, over densification. Future development that may exceed land based water allocations would be subject to the City's Special Permit review process, set forth in Fresno Municipal Code (FMC) Sections 12-405 and 12-406. In accordance with FMC, the City could place water conservation conditions on future developments or require the purchasing of additional water entitlements necessary to offset the water demand of future developments not covered in the UWMP as part of the issuance of a special permit. Required compliance with FMC Sections 12-405 and 12-406, as necessary, would result in future development compliance with the UWMP, which relies predominantly on groundwater pumping for current and anticipated water supplies. Additionally, the Project includes expiration dates for redevelopment within the Fresno Southwest GNRA (1/14/2022) and Fruit/Church (10/17/2024) Constituent Project Areas that are within the 2030 date analyzed in the UWMP. Since redevelopment within the Project Area is required to be compliance with the General Plan, and because the General Plan has already accounted for the Project in its analysis, water supply has been analyzed for these Constituent Project Areas under the UWMP. Therefore, the Project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge, resulting in a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted). Impacts would be less than significant.

- c. **Less-Than-Significant Impact.** As discussed in VII.b and IX.a, compliance with the Statewide General Construction NPDES permit is required for direct or indirect discharges of stormwater runoff to waters of the United States from future construction that causes soil disturbance of at least 1 acre (or less than 1 acre if part of a larger common plan of development or sale). Adherence to the Statewide General Construction NPDES permit requires that any site-specific project applicant develop and implement a SWPPP. A SWPPP includes BMPs to stop all products of erosion as a result of runoff from moving off site into receiving waters during construction.

The Project Area is essentially flat ground with modest potential for runoff. Future construction and placement of commercial structures, landscaping, parking lots, and other impermeable surfaces would alter the existing drainage patterns of the Project Area by preventing precipitation from entering the soil column. However, implementation of the City and Fresno Metropolitan Flood Control District grading and drainage standards would prevent operational runoff from the Project site from exceeding existing peak flows. Increased impervious surfaces would also virtually eliminate erosion potential because there would be minimal soil surface area exposed to erosion processes, and landscaping in areas not paved over would anchor and stabilize soils to further reduce erosion potential.

The 1998 EIR concluded that the stormwater drainage facilities have been completed within the Project Area and are sized to adequately convey stormwater flows for current development (City of Fresno Redevelopment Agency 1998). As discussed in VII.b, future development would have to conform to requirements of the City and Fresno Metropolitan Flood Control, including the possible placement of concrete stormwater conveyance (and possibly storage) structures as part of the future development to collect and channelize stormwater flows in order to reduce flows that could exceed the capacity of the stormwater

drainage system; individual development's stormwater conveyance needs would have to be reviewed and approved by the City (City of Fresno Redevelopment Agency 1998). No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact. Therefore, the Project would not require further analysis in the Subsequent EIR.

- d. **Less-Than-Significant Impact.** See response to IX.c. No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact. Therefore, the Project would not require further analysis in the Subsequent EIR.
- e. **Less-Than-Significant Impact.** The Project Area is essentially flat ground with minimal potential for runoff. Future construction would create bare ground that would be exposed to potential erosion; any erosion off site would create a significant impact because it could flow into downstream water bodies. The federal Clean Water Act regulates the discharge of pollutants to waters of the United States in accordance with state and local NPDES permits. As discussed in VII.b, compliance with the Statewide General Construction NPDES permit is required for direct or indirect discharges of stormwater runoff to waters of the United States from construction projects that cause soil disturbance of at least 1 acre (or less than 1 acre if part of a larger common plan of development or sale) and potential runoff. Adherence to the Statewide General Construction NPDES permit requires that any site-specific project applicant develop and implement a SWPPP.

The 1998 EIR concluded that the stormwater drainage facilities have been completed within the Project Area and are sized to adequately convey stormwater flows for current development (City of Fresno Redevelopment Agency 1998). There is no evidence indicating that this is not still the case. As discussed in VII.b, future development would have to conform to requirements of the City and Fresno Metropolitan Flood Control, including the possible placement of concrete stormwater conveyance (and possibly storage) structures as part of the future development to collect and channelize stormwater flows in order to reduce flows that could exceed the capacity of the stormwater drainage system; individual development's stormwater conveyance needs would have to be reviewed and approved by the City (City of Fresno Redevelopment Agency 1998). Additionally, the City and Fresno Metropolitan Flood Control would place additional conditions (such as pretreatment systems) on future development (and especially industrial development) to ensure that future development's runoff would not affect water quality (City of Fresno Redevelopment Agency 1998). Several classes of industrial uses would also be required to obtain NPDES permits to ensure water quality standards are reached (City of Fresno Redevelopment Agency 1998). No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact. Therefore, the Project would not require further analysis in the Subsequent EIR.

- f. **Less-Than-Significant Impact.** See responses to IX.a and IX.e. No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact. Therefore, the Project would not require further analysis in the Subsequent EIR.
- g. **No Impact.** Portions of the Project Area are within the 100-year flood plain (City of Fresno Redevelopment Agency 1998). According to Flood Insurance Rate Map (FIRM) Nos.

06019C2105H (Federal Emergency Management Agency 2009a) and 06019C2110H (Federal Emergency Management Agency 2009b), the Project Area is primarily comprised of Zone X¹ or are outside the 500-year floodplain. There are limited portions of the Project Area associated with Zones A² and AE,³ and these zones are associated with the bed and bank of Houghton and Dry Creek Canals and existing flood control basins connected to these canals. The Best Available Data maps for the Fresno area compiled by the Department of Water Resources do not show any additional risk of flooding. Therefore, the Project would not place housing within a 100-year flood hazard area, as mapped on a federal Flood Hazard Boundary, FIRM, or other flood hazard delineation map and there would be no impact.

- h. **Less-Than-Significant Impact.** As discussed in IX.g, very limited portions of the Project Area are within the 100-year flood plain (City of Fresno Redevelopment Agency 1998; Federal Emergency Management Agency 2009a; and Federal Emergency Management Agency 2009b). It does not appear that any future structures would be placed within a 100-year floodplain because all areas associated with a 100-year floodplain within the Project Area are limited to two canals and associated flood control basins. However, future development would need to perform additional analyses to determine if any portion of a specific development would be within a floodplain. If an analysis determined that a future development would be in a floodplain, building pads would be required to be elevated above flood levels, and the City and the Fresno Metropolitan Flood Control District would require concrete stormwater conveyance (and possibly storage) structures as part of the future development to collect and channelize stormwater flows in order to reduce flows that could exceed the capacity of the stormwater drainage system; individual development's stormwater conveyance needs would have to be reviewed and approved by the City (City of Fresno Redevelopment Agency 1998). With the requirements of the City and Fresno Metropolitan Flood Control District, the impacts are not new or more severe than in 1998. Therefore, the Project would not require further analysis in the Subsequent EIR.
- i. **Less-Than-Significant Impact.** The Houghton and Dry Creek Canals traverse the Project Area and existing flood control basins associated with these two canals. However, these basin and the canals are below grade and stormwater, if necessary, can be conveyed away from the Project Area to the west if flood control requires the movement of stormwater flows out of these basins and further downstream using the existing canals to ensure that the basins and canals do not overflow their banks. The Project Area is not within a dam failure flood inundation zone. Therefore, the Project would not expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam and impacts would be less than significant.
- j. **No Impact.** The Project Area is not located near any significantly sized enclosed body of water or coastal area and is, therefore, not susceptible to a seiche or tsunami. The site is not located at the foot of any significant topographical feature with the potential for mudflow. No impacts would occur.

¹ Zone X is a zone with areas of 0.2% annual flood chance (500-year floodplain).

² Zone A is a zone with areas of 1.0% annual flood chance (100-year floodplain), but the base flood elevations have not been determined.

³ Zone AE is a zone with areas of 1.0% annual flood chance (100-year floodplain) where the base flood elevations have been determined.

X. Land Use and Planning	Potentially Significant Impact	Less-than- Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
Would the project:				
a. Physically divide an established community?	☐	☐	☐	☒
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, a general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒

- a. **No Impact.** The Project Area is within the southwestern portion of Fresno and is a part of the greater metropolitan Fresno urban area. Some portions of the Project Area are adjacent to agricultural land (see Figures 1 and 2). However, the Project Area is connected to the greater metropolitan Fresno area and therefore, is a part of this established community. All portions of the Project Area are designated by the General Plan and zoning ordinance for urban land uses. Therefore, development under the Project would be urban infill, consistent with the General Plan. As such, the Project does not have the capacity to divide an established community and there would be no impact.
- b. **No Impact.** As described in the 1998 EIR, future development within the Project Area would need to be consistent with the City's adopted land use plans and policies, including the most current General Plan (City of Fresno Redevelopment Agency 1998). As such, the Project would not conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigation an environmental effect and no impacts would occur.
- c. **No Impact.** As discussed in IV.f above, there is no adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan that is applicable to the Project Area. Therefore, the Project would not conflict with any applicable habitat conservation plan or natural community conservation plan and there would be no impact.

XI. Mineral Resources		Potentially Significant Impact	Less-than- Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
Would the project:					
a.	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b.	Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	☐	☐	☐	☒

- a. **No Impact.** Table 3.1-1 of the 1998 EIR lists the existing land use categories within the Project Area and mineral resource land uses are not found within this table. Additionally, the *City of Fresno 2025 Fresno General Plan Land Use and Circulation Map* does not show any General Plan mineral resource land use designations within the Project Area (City of Fresno 2009). No substantive changes have occurred since certification of the 1998 EIR indicating that the project would result in a new or more severe impact. Therefore, no analysis is required in the Subsequent EIR.
- b. **No Impact.** No portion of the Project Area is designated in the General Plan and Edison Community Plan as a locally important mineral resource recovery site. Also, see XI.a above for more information. Therefore, there is no impact.

		Potentially Significant Impact	Less-than- Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
XII. Noise					
Would the project:					
a.	Expose persons to or generate noise levels in excess of standards established in a local general plan or noise ordinance or applicable standards of other agencies?	☒	☐	☐	☐
b.	Expose persons to or generate excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c.	Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☒	☐	☐	☐
d.	Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☒	☐	☐	☐
e.	Be located within an airport land use plan area, or, where such a plan has not been adopted, within two miles of a public airport or public use airport and expose people residing or working in the project area to excessive noise levels?	☒	☐	☐	☐
f.	Be located in the vicinity of a private airstrip and expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

- a. **Potentially Significant Impact.** The 1998 EIR requires that future development within the Project Area adhere to City standards, which include and the City's current performance standards found in the zoning ordinance, noise ordinance, and Land Use and Noise Elements of the City's General Plan (City of Fresno Redevelopment Agency 1998). Although the General Plan is updated periodically, it is required that the Constituent Redevelopment Plans be consistent with the most current General Plan update. The City also requires locating potential noise generating uses away from sensitive land uses/receptors (e.g., educational facilities, hospitals, churches, and residential land uses) (City of Fresno Redevelopment Agency 1998). Future construction would be required to also adhere to applicable standards, which include properly muffling construction equipment, limiting construction activities between the hours of 7:00 am and 7:00 pm, and phasing public work activities within the Project Area to optimize traffic flow and reduce braking and acceleration noise (City of Fresno Redevelopment Agency 1998). The 1998 EIR also concludes that construction activities, because they are short-term and intermittent, would not result in significant noise impacts (City of Fresno Redevelopment Agency 1998).

Section K of the Master EIR (MEIR) for the 2025 Fresno General Plan discusses Mitigation Measures K-1 through K-3, which require that the City adopt land use noise compatibility

standards and require noise studies for development that exceeds 60 decibels Community Noise Equivalent Level (dBA CNEL) to identify potential noise impacts and analyze mitigations (City of Fresno 2002). The mitigation also requires site planning that includes increasing the distance from noise sources to sensitive receptors (see above), placing non-noise sensitive land uses between noise source and receiver, and orienting usable outdoor living space away from roadways (City of Fresno 2002). Mitigation measures also suggest solid barriers when necessary to be in compliance with the noise ordinance as well as effective building design (City of Fresno 2002). Additionally, mitigation requires that the City continue to enforce Title 24 Noise Insulation Standards. However, with inclusion of these migration measures, the MEIR concluded that direct and cumulative noise impacts within the City would be significant and unavoidable. The primary drivers of direct and cumulative noise impacts are increased traffic levels by the year 2025 due to population growth and increased use of nearby airports (including Chandler Executive Airport, which is located adjacent to the Project Area) (City of Fresno 2002). Accordingly, there appears to be evidence that circumstances relative to future noise levels have substantially changed since certification of the 1998 EIR. This issue will be further evaluated in the Subsequent EIR to determine whether there is a new or more severe impact not considered in the 1998 EIR.

- b. **Less-Than-Significant Impact.** Similar to noise generation (see XII.a above for more information), the 1998 EIR requires that future development within the Project Area adhere to City standards, which include locating potential vibrational (or ground-borne noise) generating uses (typically trucking and manufacturing operations) away from sensitive land uses/receptors (City of Fresno Redevelopment Agency 1998). Also, similar to noise generation, future construction could generate short-term vibration (or ground-borne noise) generation, such as by the use of earthmoving equipment, jack hammers, and pile drivers, but such activities would be short-term and intermittent and would not be significant (City of Fresno Redevelopment Agency 1998). Future development would be required to comply with applicable City standards regarding vibration (or ground-borne noise) generation for the construction and operational periods. No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact from vibration or groundborne noise levels. Therefore, no analysis is required in the Subsequent EIR.
- c. **Potentially Significant Impact.** See XII.a for more information. As discussed above, with inclusion of migration measures, the MEIR for the 2025 Fresno General Plan concluded that direct and cumulative noise impacts within the City would be significant and unavoidable. This issue will be further evaluated in the Subsequent EIR to determine whether this apparent change in circumstances is substantial and would result in new or more severe impacts not addressed in the 1998 EIR.
- d. **Potentially Significant Impact.** Temporary noise impacts could occur from future construction within the Project Area. As discussed in XII.a, future construction would also be required to adhere to applicable standards and established mitigation. No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact from temporary or intermittent noise from construction. Therefore, no analysis is required in the Subsequent EIR.

However, the MEIR for the 2025 Fresno General Plan concluded that periodic noise generated from railroad operations (such as those along the Santa Fe and Southern Pacific

Railroad lines within the Project Area) and from nearby airports (such as from the nearby Chandler Executive Airport) would result in periodic noise levels that exceed established noise significance thresholds (City of Fresno 2002). Future development within the Project Area that is near railroad lines or the airport could result in exposing the public/sensitive receptors to unacceptable periodic noise levels. The MEIR concluded that, with inclusion of migration measures, direct noise impacts as a result of trains and the airport would be a significant and unavoidable. Therefore, depending on the location of future development within the Project Area, the Project could expose people residing or working in the Project Area to excessive noise levels. This issue will be further evaluated in the Subsequent EIR to determine whether this apparent change in circumstances is substantial and would result in new or more severe impacts not addressed in the 1998 EIR.

- e. **Potentially Significant Impact.** As discussed in VIII.e, a significant portion of the northwestern part of the Project Area is located within Traffic Pattern Zones of the Airport Plan. Also, as discussed in XII.d, the MEIR concludes that periodic noise from the nearby airport would result in periodic noise levels that exceed established noise significance thresholds (City of Fresno 2002). Future development, depending in its location within the Project Area, could result in a substantial temporary or periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project. This issue will be further evaluated in the Subsequent EIR to determine whether this apparent change in circumstances is substantial and would result in new or more severe impacts not addressed in the 1998 EIR.
- f. **No Impact.** As discussed in VIII.f, the Project Area is not located within the vicinity of a private airstrip and therefore, would not expose people located in the vicinity of a private airstrip and residing or working in the Project Area to excessive noise levels. There would be no impact.

XIII. Population and Housing		Potentially Significant Impact	Less-than- Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
Would the project:					
a.	Induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	☐	☐	☒	☐
b.	Displace a substantial number of existing housing units, necessitating the construction of replacement housing elsewhere?	☐	☐	☒	☐
c.	Displace a substantial number of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☒	☐

- a. **Less-Than-Significant Impact.** The 1998 EIR concludes that future development may result in small population gains as well as small population losses in the Project Area (City of Fresno Redevelopment Agency 1998). Small population gains would be due to construction of new housing in the project Area, and losses would be due to site acquisition and clearance for future development (City of Fresno Redevelopment Agency 1998). It is unknown whether future development would result in a net overall gain or loss in population but, for purposes of this analysis, it is assumed that future development would result in population gains. Future development may also bring additional people into the greater Fresno area as a result of job opportunities created by future development. But, effects on the population would be generally positive and not significant because housing programs within the Project Area would assist the City in meeting its housing needs and, in compliance with CRL, would provide low- and moderate-income housing (City of Fresno Redevelopment Agency 1998). Future development is required to be consistent with population forecasts adopted by the Council of Fresno County Governments to accommodate Fresno's fair share of the regional growth forecast (City of Fresno 2002). Additionally, the Project would not result in the extension of infrastructure (e.g., extending roads, potable water lines, sewer lines, etc. into open space on the fringe of the City) that would facilitate future development in nonurban areas and therefore, would not induce population growth. No substantive changes have occurred since certification of the 1998 EIR indicating that the project would result in a new or more severe impact. Therefore, no analysis is required in the Subsequent EIR.

- b. **Less-Than-Significant Impact.** In situations where residential units are nonconforming, planned nonresidential development may result in the removal of housing units (City of Fresno Redevelopment Agency 1998). Redevelopment activities such as land acquisition and site assembly may also cause the removal of housing units (City of Fresno Redevelopment Agency 1998). However, in accordance with CRL and Agency procedure, displaced low- and moderate-income housing must be replaced on a one-to-one basis and 20% of the tax increment funds must go towards low- and moderate income housing (City of Fresno Redevelopment Agency 1998). Additionally, eminent domain powers would not extend to owner-occupied structures. No substantive changes have occurred since

certification of the 1998 EIR indicating that the Project would result in a new or more severe impact. Therefore, no analysis is required in the Subsequent EIR.

- c. **Less-Than-Significant Impact.** As discussed in XIII.b above, future actions as a result of the Project could displace people within the Project Area. These actions include removal of nonconforming residential units, land acquisition, and site assembly as allowed by CRL (City of Fresno Redevelopment Agency 1998). However, in accordance with CRL and Agency procedure, displaced people as a result of future actions by the Agency within the Project Area are entitled to just compensation and relocation assistance (City of Fresno Redevelopment Agency 1998). Additionally, California law requires that a relocation plan be prepared that summarizes the relocation needs of those displaced and identifies relocation and available housing resources, which are reviewed by the California Department of Housing and Community Development and mitigate the effects of redevelopment activities related to displaced residents (City of Fresno Redevelopment Agency 1998). Additionally, eminent domain powers would not extend to owner-occupied structures. No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact from temporary or intermittent noise from construction. Therefore, no analysis is required in the Subsequent EIR.

	Potentially Significant Impact	Less-than- Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
XIV. Public Services				
Would the project:				
a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or a need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the following public services:				
Fire protection?	☐	☐	☒	☐
Police protection?	☐	☐	☒	☐
Schools?	☐	☐	☒	☐
Parks?	☐	☐	☒	☐
Other public facilities?	☐	☐	☒	☐

- a. **Less-Than-Significant Impact.** The need for public services is primarily driven by population growth. As population grows, so does the need for additional public services (facilities and personnel) to meet necessary service ratios, school class size requirements, and the goal of ample recreational opportunities for a healthier citizenry. As discussed in XIII.a, the Project would not induce substantial population growth. Future development within the Project Area would generate an incremental increase in the need for some public services (City of Fresno Redevelopment Agency 1998). The following discussions further describe the Project's effect on specific public services.

Fire Protection

Construction activities as a result of future development may increase the potential for fires, but are not considered to be significant because fire protection response times are adequate within the Project Area and construction activities would have to adhere to current City fire regulations (City of Fresno Redevelopment Agency 1998). Additionally, City of Fresno Fire Department require that for large projects, fire watch personnel, provided and paid for by the developer, be on site until completion of the shell structure if the City of Fresno Fire Department sees that there is a problem or concern. Operations of future development within the Project Area would incrementally increase demand for fire protection services within the Project Area (City of Fresno Redevelopment Agency 1998), but would be subject to the Citywide Fire Facilities Fee, which requires projects to pay their fair share of costs related to fire protection services needs as a result of future development (City of Fresno 2002). FMC Section 12-4.9 sets forth the purpose of the Fire Facilities Fee. It makes it clear that the fee only pays for facilities but not any other aspect of providing fire service, including personnel costs. Costs to operate fire stations and other facilities come out of the City General Fund. Additionally, all future structures and site improvements would have to

be constructed in accordance with the most current building, safety, and fire codes adopted by the City (City of Fresno Redevelopment Agency 1998). Removal of blighted conditions through rehabilitation/conservation, demolition, and construction of new structures as a result of the Project would also reduce the fire safety threat caused by vacant, abandoned, or substandard structures (City of Fresno Redevelopment Agency 1998). No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact. Therefore, no analysis is required in the Subsequent EIR.

Police Protection

Construction activities may result in potential equipment theft, trespassing, or vandalism, but this would not affect police protection service ratios or response times as these common criminal activities are routinely handled by existing police protection services. Operations of future development would increase human activity, resulting in an incrementally increased need for police protection services due to the increased potential for theft, vandalism, and other crimes (City of Fresno Redevelopment Agency 1998). However, design considerations for future development to be approved by the City would include security lighting, call boxes, and other required security measures, which would reduce the potential for crime (City of Fresno Redevelopment Agency 1998). Additionally, the removal of blighted conditions as a result of the Project is anticipated to lower the number of current police calls within the Project Area (City of Fresno Redevelopment Agency 1998). Future development would also be required to adhere to current and future General Plan policies and objectives related to police protection services designed to maintain acceptable service ratios and response times (City of Fresno 2002). No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact on police services. Therefore, no analysis is required in the Subsequent EIR.

Schools

Future residential development within the Project Area may increase the number of school-age children that would require school services (City of Fresno Redevelopment Agency 1998). Other future development (e.g., commercial and industrial) could indirectly generate school-age children within the greater Fresno area due to job opportunities created that may bring workers into the area with school-age children that would require school services (City of Fresno Redevelopment Agency 1998). All future development would be required to pay the affected school district's developer fees in accordance with Section 17620 of the State Education Code, and the Agency would assist affected schools with their planning for school service impacts as a result of future development (City of Fresno Redevelopment Agency 1998). Due to the fact that the Agency receives the tax increment generated by future development, and because this would otherwise result in fiscal effects to affected school districts, the CRL requires the Agency to make mandatory payments to affected taxing entities to offset lost tax revenues, including schools (City of Fresno Redevelopment Agency 1998). No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact. Therefore, no analysis is required in the Subsequent EIR.

Parks

Park and recreational areas would need to be provided within the Project Area in accordance with the City's Park Master Plan (City of Fresno Redevelopment Agency 1998). The 1998 EIR concluded that compliance with the City's Park Master Plan would result in less-than-significant impacts to parks as a result of the future development in the Project Area. No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact. Therefore, no analysis is required in the Subsequent EIR.

Other Facilities

The demand for emergency services would incrementally increase as a result of future development as a result of increased human activities in the Project Area (City of Fresno Redevelopment Agency 1998). However, the 1998 EIR determined that emergency service providers have adequate capacity to accommodate future development without affecting response times (City of Fresno Redevelopment Agency 1998).

Due to the fact that the Agency collects a tax increment from future development, and because this would result in fiscal effects to a number of other public services such as library, flood control, and vector control, CRL requires the Agency to make mandatory payments to these affected taxing entities to offset lost tax revenues (City of Fresno Redevelopment Agency 1998). The amount of the payment allocated to a taxing entity within the Project Area is established by CRL (City of Fresno Redevelopment Agency 1998).

No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact. Therefore, no analysis is required in the Subsequent EIR.

XV. Recreation	Potentially Significant Impact	Less-than- Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
Would the project:				
a. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐
b. Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	☐	☐	☒	☐

- a. **Less-Than-Significant Impact.** As discussed in XIII.a, the 1998 EIR concludes that future development may result in small population gains in the Project Area due to the construction of new housing units, which would result in the increased use of existing neighborhood and regional parks. However, as discussed in XIII.a, park and recreational areas would need to be provided within the Project Area in accordance with the City's Park Master Plan, and compliance with this plan would result in less-than-significant impacts to parks as a result of the future development in the Project Area (City of Fresno Redevelopment Agency 1998). Through the collection of park entrance fees and current and future property tax (including tax from future development), the City funds the maintenance of park facilities. By complying with the City's Park Master Plan and by the collecting entrance fees and taxes on future development for park maintenance, the impacts are not new or more severe than in 1998. Therefore, the Project would not require further analysis in the Subsequent EIR.
- b. **Less-Than-Significant Impact.** As discussed in XIV.a, park and recreational areas would need to be provided within the Project Area in accordance with the City's Park Master Plan (City of Fresno Redevelopment Agency 1998). No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact due to the construction and operation of new park facilities. Therefore, no analysis is required in the Subsequent EIR.

XVI. Transportation/Traffic	Potentially Significant Impact	Less-than- Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
Would the project:				
a. Conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation, including mass transit and non-motorized travel and relevant components of the circulation system, including, but not limited to, intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☒	☐
b. Conflict with an applicable congestion management program, including, but not limited to, level-of-service standards and travel demand measures or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☒	☐
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒
d. Substantially increase hazards because of a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
e. Result in inadequate emergency access?	☐	☐	☒	☐
f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☐	☒

- a. **Less-Than-Significant Impact.** Transportation planning within the Project Area is the responsibility of the City, Caltrans, Fresno County, and the Fresno Council of Governments (Fresno COG). Future development may entail abandonment and/or realignment of certain streets, alleys, or other right-of-ways. Any changes in the Project Area's existing circulation system would have to comply with the current General Plan and future updates, objectives of the applicable Constituent Redevelopment Plan(s), the Edison Community Plan or other future adopted plans, and City design standards. Future development would be reviewed on a case-by-case basis for compliance with these plans, strategies, and standards.

The entire Project Area is located within the Edison Community Plan (City of Fresno 1977). The "Transportation" chapter of the Edison Community Plan includes a discussion of assets, liabilities, and recommendations for the improvement of the transportation system within

the Edison Community Plan area. The recommendations found in the Edison Community Plan are as follows:

- It is recommended that improvements to Elm Avenue (Freeway 41) and Whites Bridge Road (Freeway 180) as four lane, divided arterial streets be given high priority. These streets must serve as the major entrances to Fresno from the south and west until the local segments of the proposed freeway system are constructed and they should both be the subject of a City wide study to establish a gateway treatment for the major entrances to the metropolitan area.
- It is recommended that the local street system within the Edison Community be improved as redevelopment activities occur. Such improvements should include providing permanent paving, improved sidewalks, curbs, and gutters; and redesign, using traffic diverters and "greenway" development where through-traffic poses problems within residential neighborhoods.
- It is recommended that efforts be taken to minimize high speed and through-traffic vehicles, particularly trucks, on collector streets within the Edison Community which traverse residential areas. Possible approaches might include redesign to break the continuity of the collector street system within the community of determined to be feasible as a result of the City's ongoing review of the Fresno-Clovis Metropolitan Area Circulation Element, or the designations of truck routes peripheral to residential areas.
- It is recommended that improvements to transit service within the community, including increasing the frequency of pickups and the hours of service, be accomplished as soon as possible.
- It is recommended that the F.C.M.A. Bikeways Plan be implemented in the Edison Community as funding is available.

Since 1998, there have been a number of circulation improvements within the Project Area. Although, these topics were not analyzed in the 1998 EIR, these changes were intended to reduce traffic congestion within the Project Area and were done in compliance with applicable plans, strategies, and standards. Therefore, the Project would not result in a new or more severe impact as a result of these changes.

Future development that produces 100 or more peak-hour trips would be required to prepare a traffic analysis to evaluate its contribution to increased peak-hour vehicle delay at major street intersections adjacent or proximate to the future development in accordance with Mitigation Measure B-4 of the 2025 Fresno General Plan MEIR.

The extension of the lifespan and eminent domain powers within the two redevelopment areas would result in intensification of land uses within the Project Area. The 1998 EIR concludes that the short-term, construction-related traffic effects as a result of future development would be less than significant by complying with established City and Agency procedures that call for the coordination of construction plans, temporary street closures, and detour plans with affected agencies as well as notification of users (City of Fresno Redevelopment Agency 1998). The 1998 EIR concluded that long-term traffic impacts would be reduced with the continued construction of public improvements, including but not limited to street widening and extensions, intersection improvements, railroad grade

improvements, provision of public parking, and construction of curb, gutter, sidewalk, and streetscape improvements such as lighting (City of Fresno Redevelopment Agency 1998). Funding for traffic improvements come from street improvements required for property development permits, locally-generated general fund tax revenues (including redevelopment tax increment funds), locally-established transportation fund taxes, and state and federal gas tax funds. Implementing improvements in conformance with the current General Plan and applicable community plans or other future plans, and paid for by the various mechanisms described above, would reduce long-term traffic impacts as a result of future development in the Project Area to a less-than-significant level. The 1998 EIR concludes that even with sufficient mitigation for the long-term, the contribution of future development within the Project Area would result in a significant and unavoidable cumulative traffic impact due to the decline in level of service (LOS) at several freeway interchanges that serve the Project Area (City of Fresno Redevelopment Agency 1998). The cumulative impacts of the Project were disclosed in the 1998 EIR and have not changed; therefore, the Project would not result in a new or more severe impact as a result of these changes. Impacts would be less than significant.

- b. **Less-Than-Significant Impact.** As discussed in XVI.a, by complying with applicable plans, strategies, and standards, future development in the Project Area would not significantly impact traffic, and therefore related LOS, during the construction and operational periods, but it would result in a significant and unavoidable cumulative traffic impact due to the decline of LOS at several freeway interchanges that serve the Project Area. However, the cumulative significance of this impact was disclosed in the 1998 EIR; therefore, the Project would not result in a new or more severe impact in this area.
- c. **No Impact.** As discussed in VIII.e, a significant portion of the northwestern part of the Project Area is located within the Airport Plan area, but given the modest size of the airport and because future development would be required to comply with the Airport Plan, future development would not result in building heights in close proximity that could affect landing and takeoff approaches. Additionally, the Project would not appreciably increase population (see XIII.a above) that would result in a significant increase in air traffic levels, and the project would not require the airport to change locations. Discussions about airport hazards and airport-related noise have been discussed above. No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact. Therefore, no analysis is required in the Subsequent EIR.
- d. **Less-Than-Significant Impact.** Future development would be required to comply with Caltrans and/or City road design standards, which would ensure that hazardous design features or incompatible uses would not occur. Future development would also remove existing hazardous road conditions in order to be compliant with these standards. No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact. Therefore, no analysis is required in the Subsequent EIR.
- e. **Less-Than-Significant Impact.** Future development would be required to comply with City of Fresno Fire Department standards for adequate emergency access. Future development would also assist in removing currently inadequate access points within the Project Area in order to be compliant with these standards. No substantive changes have occurred since

certification of the 1998 EIR indicating that the Project would result in a new or more severe impact. Therefore, no analysis is required in the Subsequent EIR.

- f. **No Impact.** As discussed in XVI.a, any changes in the Project Area's existing circulation system would have to comply with the current General Plan or other future adopted plans, and City design standards. Future development would be reviewed on a case-by-case basis for compliance with these plans, strategies, and standards. Agency-allowed redevelopment activities include alternative transportation improvements projects, such as streetscape improvements, street lights, pedestrian walkways, bridges, sidewalks, traffic signals, utility undergrounding, bicycle paths, street medians, trails, and trolley crossings. These allowed improvements would support alternative transportation in the area. The Project would extend redevelopment tools and funding to provide assistance in implementing City strategies and policies found in the current General Plan or other future adopted plans to improve pedestrian, bicycle, and transit access in the Project Area. No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact. Therefore, no analysis is required in the Subsequent EIR.

		Potentially Significant Impact	Less-than- Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
XVII. Utilities and Service Systems					
Would the project:					
a.	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☒	☐
b.	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐
c.	Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐
d.	Have sufficient water supplies available to serve the project from existing entitlements and resources, or would new or expanded entitlements be needed?	☐	☐	☒	☐
e.	Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
f.	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☒	☐
g.	Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☒	☐

- a. **Less-Than-Significant Impact.** Future development within the Project Area would generate additional wastewater that would need to be treated before properly disposed or recycled. This wastewater water would be treated at the Fresno/Clovis Regional Water Reclamation Facility in accordance with specific effluent water quality requirements specified in the CVRWQCB's Tulare Lake Basin Plan, the WDR order (Order No. 2006-0003-DWQ, Statewide General Waste Discharge Requirements for Sanitary Sewer Systems, State Water Resources Control Board [SWRCB], May 2, 2006), and in compliance with California Code of Regulations (CCR) Title 22 requirements for recycled water quality. By law, the facility must comply with CVRWQCB, SWRCB, and CCR requirements or make improvements and pay fines if found to be out of compliance. In the Sewer System Management Plan, the City has developed a comprehensive strategy to address necessary improvements within the existing wastewater distribution system in order to ensure applicable wastewater treatment requirements are met (City of Fresno 2009c). Water quality requirements in these documents are more stringent than requirements placed on the Project in 1998. No substantive changes have occurred since certification of the 1998 EIR indicating that the

Project would result in a new or more severe impact. Therefore, no analysis is required in the Subsequent EIR.

- b. **Less-Than-Significant Impact.** The 1998 EIR acknowledges that sections of the wastewater distribution system (sewer system) are antiquated and in need of repair or replacement (City of Fresno Redevelopment Agency 1998). As described in the 1998 EIR, although the trunk sewer lines that serve the Project Area have been completed and are adequate in capacity to accommodate planned land uses, there are deficiencies in the sewer main system that serves the area (City of Fresno Redevelopment Agency 1998). Several of the sewer lines are experiencing increasingly high maintenance and are in need of replacement. Sections of the sewer system in the Project Area would not be able to support planned land uses as a result of the Project (City of Fresno Redevelopment Agency 1998). Additionally, the City's recent Sewer System Management Plan includes a number of necessary rehabilitation and capacity upgrade sewer system projects that are necessary in the Project Area (City of Fresno 2009c).

Future development within the Project Area would be required to obtain a sewer permit from the City director of development to connect to the existing sewer system and pay a sewer connection charge in accordance with City Municipal Code Section 6-304. During operations, future development would also have to pay a sewer service charge in accordance with City Municipal Code Section 6-305. In accordance with City Municipal Code Section 6-337, a sewer service fund has been established where sewer connection and sewer service charges are deposited to pay for acquisition, construction, and reconstruction of the publicly-owned treatment works (POTW), including wastewater treatment plant (WWTP) expansions and new construction. Necessary sewer capital improvements in the Project Area outlined in the Sewer System Management Plan would also be funded through the sewer service fund. Future POTW acquisition, construction, and reconstruction (WWTP and sewer capital improvements) would be subject to additional CEQA analysis that includes mitigating environmental impacts to the greatest extent feasible, which is out of the scope of this documentation. Obtaining a sewer permit and paying necessary charges in accordance with City Municipal Code, coupled with future WWTP CEQA review, would result in a less-than-significant impact due to the construction of new wastewater treatment facilities or expansion of existing facilities, including sewer capital improvements.

The 1998 EIR acknowledges that sections of the City's wastewater collection system are in need of replacement due to age but that compliance with the City Municipal Code would reduce impacts to less than significant. As discussed above, future development would have to comply with the City Municipal Code. Therefore, pursuant to CEQA Guidelines Section 15162, no new or more severe impacts on wastewater treatment facilities would result as part of the Project that have not already been disclosed in the 1998 EIR.

Please note that, unlike potable water, wastewater impacts are primarily the product of the capacity and condition of the conveyance facilities as well as the treatment plant's capacity rather than the availability of the water supply (see XVII.d for more information about water supply). Unlike water supply, where future development would either have to comply with the UWMP or be required to have sufficient water supplies for implementation during the site review process, wastewater adequacy does not have a project-level discretionary process that ensures that sufficient facilities are present prior to development. The Sewer

System Management Plan is the City's planning document to address and prioritize current and future wastewater capacity and conveyance needs.

- c. **Less-Than-Significant Impact.** The 1998 EIR concluded that the stormwater drainage facilities have been completed within the Project Area and are sized to adequately convey stormwater flows for current development (City of Fresno Redevelopment Agency 1998). The Project Area is essentially flat ground with minimal potential for runoff. Future construction would create bare ground that would be exposed to potential erosion; any erosion off site would create a significant impact because it could flow into downstream water bodies. The federal Clean Water Act regulates the discharge of pollutants to waters of the United States in accordance with state and local NPDES permits. As discussed in VII.b, compliance with the Statewide General Construction NPDES permit is required for direct or indirect discharges of stormwater runoff to waters of the United States from construction projects that cause soil disturbance of at least 1 acre (or less than 1 acre if part of a larger common plan of development or sale). Adherence to the Statewide General Construction NPDES permit requires that the applicant develop and implement a SWPPP. No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact. Therefore, no analysis of this issue is required in the Subsequent EIR. As discussed in VI.b and VIII.e, future development would have to conform to requirements of the City and Fresno Metropolitan Flood Control District (i.e., the District's master plan), including the possible placement of concrete stormwater conveyance (and possibly storage) structures as part of the future development to collect and channelize stormwater flows in order to reduce flows that could exceed the capacity of the stormwater drainage system; individual development's stormwater conveyance needs would have to be reviewed and approved by the City (City of Fresno Redevelopment Agency 1998). A future development's stormwater drainage system improvements would have to be reviewed and approved by the Fresno Metropolitan Flood Control District for conformance with the District's master plan prior to improvement construction. Additionally, future development in those portions of the Project Area that lie within District drainage areas RR and II₁ are obligated under ordinance to pay a "full cost" drainage fee and also subject to an increased benefit assessment on the future development's annual property tax bill for completion of the system for drainage areas RR and II₁. Therefore, the Project may require or result in the construction of new stormwater drainage facilities or expansion of existing facilities. However, this was contemplated in the 1998 EIR, and no substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact. Therefore, no analysis is required in the Subsequent EIR.
- d. **Less-Than-Significant Impact.** As discussed in IX.b, the City's Department of Public Utilities notes that, if proposed future development within the Project Area is consistent with the General Plan and future updates, then development has been accounted for in the UWMP provided that development does not exceed land use based water allocations identified in the UWMP by constructing high water use characteristics, e.g., water features, excessive amount of landscaping, over densification. Future development that may exceed land based water allocations would be subject to the City's Special Permit review process, set forth in Fresno Municipal Code (FMC) Sections 12-405 and 12-406. In accordance with FMC, the City could place water conservation conditions on future developments or require the purchasing of additional water entitlements necessary to offset the water demand of future developments not covered in the UWMP as part of the issuance of a special permit.

Required compliance with FMC Sections 12-405 and 12-406, as necessary, would result in future development compliance with the UWMP, which relies predominantly on groundwater pumping for current and anticipated water supplies. Additionally, the Project includes expiration dates for redevelopment within the Fresno Southwest GNRA (1/14/2022) and Fruit/Church (10/17/2024) Constituent Project Areas that are within the 2030 date analyzed in the UWMP. Since redevelopment within the Project Area is required to be compliance with the General Plan, and because the General Plan has already accounted for the Project in its analysis, water supply has been analyzed for these Constituent Project Areas under the UWMP. Therefore, the Project would have sufficient water supplies available to serve the project from existing entitlements and resources, or would new or expanded entitlements be needed Impacts would be less than significant.

- e. **Less-Than-Significant Impact.** See response to XVII.b. As set forth therein, the Project would not result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments. Impacts would be less than significant.
- f. **Less-Than-Significant Impact.** Future development would increase the amount of solid waste generated in the City but was determined to be less than significant in the 1998 EIR (City of Fresno Redevelopment Agency 1998). Mitigation has been adopted by the current General Plan that requires adequate solid waste facilities and services for the collection, transfer, recycling, and disposal of solid waste for existing and planned development within the City (City of Fresno 2002). In order to effectuate the General Plan mandate, the City has recently adopted industrial, commercial, and multifamily recycling requirements as well as construction recycling requirements outlined in the City's Zero Waste Strategic Action Plan (City of Fresno 2008a). This plan's purpose is to achieve 75% diversion by 2012 and zero-waste status by 2025 (City of Fresno 2008a). Future development's compliance with the action plan would allow future development to be served by a landfill with sufficient permitted capacity to accommodate the Project's solid waste disposal needs. The requirements in the City's Zero Waste Strategic Action Plan are more stringent than the requirements placed on the Project in 1998. No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact. Therefore, no analysis is required in the Subsequent EIR.
- g. **Less-Than-Significant Impact.** As discussed in the 1998 EIR, future development would comply with all local, state, and federal requirements for integrated waste management (e.g., recycling) and solid waste disposal (City of Fresno Redevelopment Agency 1998). Future development would also comply with all local, state, and federal requirements hazardous wastes or materials that require special disposal; see Hazards and Hazardous materials above for more information. Therefore, the Project would comply with federal, state, and local statutes and regulations related to solid waste. No substantive changes have occurred since certification of the 1998 EIR indicating that the Project would result in a new or more severe impact. Therefore, no analysis is required in the Subsequent EIR.

XVIII. Mandatory Findings of Significance		Potentially Significant Impact	Less-than- Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
a.	Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	☒	☐	☐	☐
b.	Does the project have impacts that are individually limited but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	☒	☐	☐	☐
c.	Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	☒	☐	☐	☐

- a. **Potentially Significant Impact.** As discussed in Biological Resources above, there is no change to the Project or its circumstances, nor new information that the Project would result in a new or more severe impact (compared to those discussed in the 1998 EIR) that would degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or substantially reduce the number or restrict the range of a rare or endangered plant or animal because there are no native habitats or wetlands within the Project Area. Therefore, the lack of suitable habitat, significant disturbance in the Project Area, and unsuitable hydrology or other critical resources precludes rare or endangered plants or animals. The Project would also not eliminate important examples of the major periods of California prehistory because the Project Area does not contain any known archaeological or paleontological resources, and appropriate mitigation is in place in the event that previously unknown resources are discovered (see V.b and V.c). However, as discussed in V.a, the Project Area contains historic structures that may be listed or found eligible for the Local Register, California Historic Register, and/or National Register of Historic Places. This issue will be further addressed in the Subsequent EIR.
- b. **Potentially Significant Impact.** As discussed in Air Quality and Noise, the 1998 EIR acknowledges that the Project would result in cumulatively considerable air quality and noise impacts. These issues will be further addressed in the Subsequent EIR.

- c. **Potentially Significant Impact.** As discussed above, the Project could cause substantial adverse air quality, historic resources, greenhouse gas emissions, and noise effects on human beings, either directly or indirectly. These issues will be further addressed in the Subsequent EIR.

XIX. Earlier Analysis

Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a discussion should identify the following on attached sheets.

- a. **Earlier analyses used.** Identify earlier analyses and state where they are available for review.
- b. **Impact adequately addressed.** Identify which effects from the above checklist were within the scope of and adequately analyzed in the earlier document pursuant to applicable legal standards and state whether such effects were addressed by mitigation measures based on the earlier analysis.
- c. **Mitigation measures.** For effects that are “potentially significant unless mitigated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

Authority: Public Resources Code Sections 21083 and 21083.05.

Reference: Section 65088.4, Government Code; Sections 21080(c), 21080.1, 21080.3, 21082.1, 21083, 21083.05, 21083.3, 21093, 21094, 21095, and 21151, Public Resources Code; *Sundstrom v. County of Mendocino* (1988), 202 Cal. App. 3d 296; *Leonoff v. Monterey Board of Supervisors* (1990) 222 Cal.App.3d 1337; *Eureka Citizens for Responsible Govt. v. City of Eureka* (2007) 147 Cal.App.4th at 1109; *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656.

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Appendix A
**Preliminary Report for the
Amendments to the Merger No.2**

Please see Appendix C of the Draft SEIR for the Preliminary Report for the
Amendments to the Merger No.2.

Appendix C
Preliminary Report for the
Amendments to Merger No. 2

**PRELIMINARY REPORT
FOR AMENDMENTS TO THE
REDEVELOPMENT PLANS
FOR THE
MERGER NO. 2 REDEVELOPMENT PROJECT**

Prepared for:

**THE REDEVELOPMENT AGENCY
OF THE
CITY OF FRESNO**

JULY 2010

**PRELIMINARY REPORT
FOR AMENDMENTS TO THE
REDEVELOPMENT PLANS
FOR THE
MERGER NO. 2 REDEVELOPMENT PROJECT**

Prepared for:

**THE REDEVELOPMENT AGENCY
OF THE
CITY OF FRESNO**

July 2010

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**PRELIMINARY REPORT
FOR AMENDMENTS TO THE REDEVELOPMENT PLANS
FOR THE MERGER NO. 2 REDEVELOPMENT PROJECT**

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**PRELIMINARY REPORT
FOR AMENDMENTS TO THE
REDEVELOPMENT PLANS FOR THE
MERGER NO. 2 REDEVELOPMENT PROJECT**

I. INTRODUCTION

This Preliminary Report ("Report") for the proposed adoption of amendments to the Constituent Plans for the Merger No. 2 Redevelopment Project has been prepared for the Redevelopment Agency of the City of Fresno ("Agency") pursuant to Sections 33333.11(e) and 33344.5 of the California Community Redevelopment Law ("CRL"). As discussed in Section II of this Report, the purpose of the proposed Amendments to the Merger No. 2 ("Amendments") Redevelopment Plans ("Plans") is to amend specific time and financial limits, and extend the Agency's ability to use eminent domain to acquire property within the Project Area (excluding properties on which persons lawfully reside). These Amendments would enable the Agency to continue implementing its program of blight elimination within the Merger No. 2 Project Area ("Project Area").

The Project Area was created by the merger of the Fruit/Church and Southwest Fresno GNRA Redevelopment Areas in 1998. The Fruit/Church Redevelopment Plan was adopted in 1971 and the Southwest Fresno GNRA Redevelopment Plan was adopted in 1969.

As part of the process of amending the Plans, the CRL requires that specific information be provided to taxing agencies and officials ("affected taxing entities"), the California Department of Finance ("DOF"), and the California Department of Housing and Community Development ("HCD") prior to the adoption of the proposed Amendments. Included in this Report are the required contents organized in accordance with Section 33333.11(e) of the CRL.¹ The required contents of the Preliminary Report and the location of each required element in this Report are outlined in Table 1.

(Continued on the next page)

¹ Per Section 33354.6(a) of the CRL, the Agency is following the same procedures that would be followed for the adoption of a new redevelopment plan. However, this Report does not contain the analysis of urbanization of the Project Area per Section 33344.5(c) because each of the constituent Project Areas were determined to be urbanized at the time of their respective adoption.

Table 1: Organization and Contents of the Report

CRL SECTION NO.	SUBDIVISION	REPORT SECTION
33333.11(e)(1)	A map of the Project Area that identifies the portion, if any, of the Project Area that is no longer blighted, the portion of the Project Area that is blighted, and the portions of the Project Area that contain necessary and essential parcels for the elimination of the remaining blight.	IV
33333.11(e)(2)	A description of the remaining blight.	IV
33333.11(e)(3)	A description of the projects or programs proposed to eliminate the remaining blight.	V
33333.11(e)(4)	A description of how the projects or programs will improve the conditions of blight.	VI
33333.11(e)(5)	The reasons why the projects or programs cannot be completed without extending the time limits on the effectiveness of the plan and receipt of tax increment revenues.	VI
33333.11(e)(6)	The proposed method of financing these projects or programs. This includes the amount of tax increment revenues that is projected to be generated during the period of the extension, including amounts to be deposited into the Low and Moderate Income Housing Fund and amounts to be paid to affected taxing entities.	VII
33333.11(e)(7)	An amendment to the Agency's implementation plan that includes, but is not limited to, the Agency's housing responsibilities pursuant to Section 33490.	VIII
33333.11(e)(8)	A new neighborhood impact report as required by subdivision (m) of CRL Section 33352.	IX
33333.11(e)(9)	A description of each bond sold by the Agency to finance or refinance the Projects prior to six months before the date of adoption of the proposed Amendments, and listing for each bond of the amount of remaining principal, the annual payments, and the date that the bond will be paid in full.	X

(Continued on the next page)

II. REASONS FOR AMENDMENT TO THE REDEVELOPMENT PLANS FOR THE MERGER NO. 2 PROJECT AREA

A. THE PROPOSED AMENDMENTS

The Agency proposes to increase the time limit for the effectiveness of the Plans (plan duration) and the time limit to receive tax increment and repay indebtedness by ten (10) years; increase the tax increment limits; and extend the time limits to utilize eminent domain. A summary of the proposed amendments is shown on Table 2.

Table 2: Summary of Proposed Amendments

Amendment	SWGNRA		Fruit/Church	
	Current Limit ²	Proposed Limit	Current Limit ²	Proposed Limit
Extend the time limit on the effectiveness of the plan by 10 additional years.	1/14/2012	1/14/2022	10/7/2014	10/7/2024
Extend the time limit on the payment of indebtedness and receipt of property taxes by 10 additional years.	1/14/2022	1/14/2032	10/7/2024	1/14/2034
Extend the time limit for the utilization of eminent domain by 12 years. ³	12/17/2010	October 2021	12/17/2010	October 2021
Increase tax increment limit	\$113,000,000	\$339,000,000	\$21,000,000	\$63,000,000

B. CONTINUED NEED FOR AGENCY ASSISTANCE IN REDEVELOPING THE PROJECT AREA

The Project Area includes one of the oldest neighborhoods in the City of Fresno ("City"). Development in the Project Area began in the mid- 1800s with the growth and development of the downtown and the adjacent Central Pacific Railroad right-of-way. Subsequent development in the City occurred to the north of downtown and the Project Area declined along with the downtown during the outmigration of businesses and northward expansion of the of City. Redevelopment Plans were adopted for the Southwest Fresno GNRA and Fruit Church Project Areas in 1969 and 1971, respectively, to enable the Agency to devote resources to the revitalization of southwest Fresno. Originally called Southwest Fresno, in 1977 the area was renamed the Edison Community and the City adopted the *Edison Community Plan* to guide land use and development in the area.

² Current limits include time extensions of 3 years as provided for in the CRL due to payments by the Agency into the Educational Revenue Augmentation Fund (ERAF).

³ The actual time limit will be 12 years from the effective date of the ordinance adopting the amendment (thirty days after adoption). The amendments are assumed to be adopted in September 2009.

The decentralization of business and economic activity away from downtown in the 1960s onward left the downtown and West Fresno without access and proximity to the job and economic growth occurring in the suburbs to the north. Several persistent pervasive issues continue to affect the Project Area:

- A high proportion of the population is employed in the agricultural sector; there is a need to assist in encouraging the development of jobs and job training in other sectors of the economy. Opportunities exist to foster the creation jobs, particularly in the portions of the Project Area zoned for industrial development in the Fruit-Church area and along Elm Avenue.
- A lack of adequate basic goods and services in the area, i.e., there is limited access to groceries and basic consumer goods; limited/inadequate services such as banking, medical and personal services; and inadequate parks and recreational facilities. Despite the Agency's success in bringing a neighborhood shopping center (Kearney Palms) to the Project Area, the commercial stores and services in the Project Area are still limited.
- Overcrowded and substandard housing.
- A lack of necessary public facilities and inadequate infrastructure.

The Agency has participated in a number of projects and programs with other public agencies and the private sector to alleviate blighting conditions. Many of the projects and programs are described in more detail beginning on page 6.

A review of building permit data from 1999 through 2009 was used to assess the approximate level of reinvestment that has occurred in the Project Area since the merger in 1998. Total permit value was calculated, excluding sign permits, and permits for re-roofing projects, site remediation, and foundation-only permits. In total, permits valuing \$71.8 million were issued. Because permit value does not necessarily reflect actual construction costs or the value of the improvements constructed, no direct conclusion as to how much construction activity has taken place. Similarly, permits may be issued for a project that never gets constructed. Nevertheless, a review of the permits information also indicated that of the \$71.8 million, \$30.9 million (or forty-three percent) of the permits were for projects in which the Agency have some level of involvement. Agency involvement ranged from direct financial participation to facilitating a sale or helping the property owner find tenants - including loans, land write-downs, construction of public improvements.

In short, the Agency has been involved in over forty percent of the significant development activity that has occurred in the Project Area since the merger in 1998. The Agency has played a critical role in bringing the first (and still the only) neighborhood shopping center to the Project Area, and the development and redevelopment of many housing units, including units affordable to low and moderate income families. Much of the housing activity was supported through the

contribution by the Agency of its housing set-aside funds to the Community Housing Partnership Program ("CHPP"), a partnership of the housing authorities of the City and the County of Fresno. Yet despite these accomplishments, signs of underutilization and neglect persist and are significant in many portions of the Project Area, as will be described herein. These remaining blighting conditions indicate that private sector, acting alone, and other public agencies cannot redevelop the area without the assistance of redevelopment.

C. AGENCY GOALS AND OBJECTIVES

The primary goals and objectives of the Agency include:

- The elimination and prevention of the spread of blight and deterioration throughout the Project Area.
- The promotion of new and continuing private sector and government agency investment within the Project Area to prevent the loss of and to facilitate economic activity.
- The retention and expansion of existing businesses where possible by means of redevelopment and rehabilitation activities, and encouraging and assisting the cooperation and participation of owners, businesses, and public agencies in the revitalization of the Project Area.
- The expansion and improvement of the City's housing supply (inside and outside of the Project Area), including opportunities for low and moderate income families and households.
- The elimination or amelioration of deficiencies, such as substandard vehicle circulation systems; inadequate water, sewer, and storm drainage systems; insufficient off-street parking; and other similar public facility and utility deficiencies adversely affecting the Project Area.

While the Agency has made significant progress towards its goals, there is significant blight in portions of the Project Area. The SWGNA Redevelopment Plan will expire in 2012 and the Fruit Church Redevelopment Plan will expire in 2014. When these Redevelopment Plans expire, the Agency will no longer be able to initiate or participate in the alleviation of blight in the respective Redevelopment Plan areas. In order to accomplish its goals and objectives, the Agency will need more time to complete various projects and programs.

D. AGENCY ACCOMPLISHMENTS

Major projects that have been completed in the Project Area include:

Neighborhood Revitalization

In July 2000, the Agency entered into a multi-year Community Housing Partnership Program (CHPP) agreement with the Housing Authorities of the City and County of Fresno to administer a portion of the Agency's twenty percent Housing Set-Aside funds. The CHPP provides for minor, major and infill housing in designated target areas of the City, which include locations within neighborhoods located within and adjacent to the Merger No. 2 Project Areas. The CHPP has three significant elements: the Major/Minor Rehabilitation Program, the Board Up/Infill Program, and the Multi-Family Rehabilitation Program. During the next five years, the Agency will continue to expend Merger No. 2 Housing Funds in Merger No. 2 neighborhoods.

Since the inception of the CHPP Program, there have been 332 minor rehabs completed in the Project Area, of which ninety-four have been in the past five years. There have also been eleven major rehab projects completed in the past five years.

Board Up/Infill Program

As part of the Board Up/Infill component of the CHPP, the Agency has acquired a number of severely distressed residential properties. The Agency can facilitate development of infill housing on these parcels through establishment of a program to acquire vacant and distressed residential properties, and provision of land write-downs for development of mixed income and affordable housing. The properties recently acquired in the Project Area under the Boarded Up/Lot Purchase Program/Infill Housing Program include the following:

- Through the CHPP, the Agency acquired a boarded up property at 347 W. Strother for rehabilitation. Deemed beyond repair, the 347 W. Strother house was razed and the site prepared for the relocation of a house moved from 145 E. Geary. The home has since been sold to a qualified buyer.
- The CHPP acquired a two-bedroom one-bath boarded-up house at 1046 E. Calwa in Southwest Fresno. The house was rehabilitated and sold to a qualified buyer.
- Through the CHPP, the Agency acquired a boarded up property at 1235 E. Calwa. The home's rehabilitation was completed and the house was sold to a low income family.
- The house at 2254 S. Lotus Avenue, was acquired under the CHPP program. The home was rehabilitated to "Green" Standards and sold in May 2009.

Kearney Palms Shopping Center

February 2000 marked the completion of construction of the \$10.23 million Kearney Palms Shopping Center Project, comprised of a major grocery market (Food 4 Less), a drug store (Rite Aid), and sixteen commercial tenants. The Project site occupies approximately twelve acres bounded by Freeway 99, Fresno, "B," and Tuolumne Streets. Included within the Project site is an Agency-owned public parking lot, providing 620 off-street parking spaces for shopping center clientele. Additionally, the Project includes an 8,000 square foot City police substation leased to the City pursuant to a Cooperation Agreement between the Agency and the City. The Agency assembled the land for the site, constructed the off-site improvements and public parking lot, and funded the development of the police sub-station. It was estimated that the Project created 350 permanent jobs.

HOPE VI

Hope VI is a multi-phased, multi-housing type master planned community generally located between West, California, Walnut and Church Avenues. The master plan envisioned approximately 267 housing units and commercial, retail and community service uses. The 3,500 square foot \$1.8 million Community Enrichment Center, which features a pre-school, community room and computer lab, opened in December 2007.

The Agency supported the \$20 million HOPE VI grant fund award through a commitment of multi-year contributions that include: Agency-owned land; assembly of additional land for a mixed-use project between California, Church, Walnut and Plumas Avenues; assistance for development of a recreation center and parking facility; and various street improvements.

California Avenue Improvements and Land Acquisition

The Agency's contribution of funds to widen California between Fruit and West fulfilled a requirement that led to the construction of fifty-three new homes in Sierra Point, thirty-three new units and thirty-six rehabilitated units in Yosemite Village, and a new Community Enrichment Center. The Agency and the City of Fresno identified California Avenue from Freeway 99 to West Avenue as a priority for funding and received Tier 1 allocation in the Measure C Bond for street widening and improvements and landscaped median islands.

California Walnut Mixed-Use/Edison Plaza Project

In FY 08/09, the Agency completed a Disposition and Development Agreement (DDA) with the Edison Plaza Partners to construct a \$12 million, 38,000 square foot Regional Resource Center and Library, along with 32,000 sq. ft. of office and commercial space and \$1.4 million in Agency funded off-sites. A lease with the County of Fresno for the Resource Services Center and Library was finalized and approved in July 2008. The Agency assembled ten acres for the Edison Plaza Mixed-Use Project and funded the required frontage improvements on California Avenue and the widening and realignment of Walnut Avenue south of California.

On March 26, 2009, over 100 community members and City and County elected officials celebrated the Regional Resource Center and library's groundbreaking ceremony. The project

represents the largest development in Southwest Fresno since the Agency's Kearney Palms project in 2000.

California Avenue Revitalization Plan (CAR)

In March 2003, to encourage infill development along California Avenue, the Agency presented a "California Avenue Revitalization" (CAR) plan to the Agency Board. The plan includes fifteen significant projects along the California Corridor from S.R. 99 to West Avenue. To date, eight projects have been completed: Walnut Avenue Street Improvements, Casa San Miguel, Pocket Parks, HOPE VI Master Plan Adoption, Lincoln School Improvements, Edison Track and Edison Plaza—West Fresno Regional Center, Elm Crossing; and seven are well underway: EOC Youth Center, California Triangle, California Avenue Brownfields, California Avenue Street Widening, Edison Plaza Phase II, Walnut Avenue Realignment and Yosemite Village.

EOC Neighborhood Youth Center

The Fresno County Economic Opportunities Commission acquired approximately six-point-six acres of Agency-owned properties in the area of California and "C" Streets for development of a Youth Center. The Agency assisted with off-site improvements. When complete, the 66,000 square foot project will consist of a Recreation Building, Administrative Offices, and Vocational Training Facility with classrooms for Corp members. Currently, the Recreation Building and Administrative Offices are complete while the Vocational Training Facility and classrooms are under construction.

Sequoia Village at Annadale/Elm

Following a competitive Request For Proposal (RFP) process, EAH, the selected developer, began work on a design, site planning and associated entitlements and project economics for the proposed development of about 230 residential units on seven-point-five acres at Annadale near Elm next to the Clinical Health Center (formally Sequoia Health Center). The Agency through a Disposition Development Agreement (DDA) facilitated the Community Health Center development.

Casa San Miguel

The City, National Farm Workers Service Center (NFWSC), and the Agency entered an OPA and HOME Investment Partnership Program Grant on April 25, 2001 for development of a forty-four (44) lot affordable housing project, in three (3) independent Phases: Phase I consisting of development of thirty-two (32) lots as low and very low-income single-family housing units ("Phase I"); Phase II consisting of development of three (3) lots as a community center (later amended to allow for three additional single-family homes); and, Phase III consisting of development of nine (9) lots as affordable single-family housing units for low to moderate income families ("Phase III"). Forty-One of the Forty-Four lots have been developed and sold to income qualified families.

California Triangle

The Agency, through the CHPP, is nearing completion of land assembly for a three-acre site at California Avenue between Kern Street and Waterman Avenue for an affordable housing development.

Edison High School Improvements

The Agency and the Fresno Unified School District entered into a Funding Agreement to provide athletic field improvements at Edison High School. A new all-weather track, runway, concession/ restroom facilities, new lighting, and fencing improvements were constructed. Updated irrigation was installed to facilitate the landscape improvements.

Providence Baptist Church

To facilitate the improvements and expansion of Edison High School, the Agency entered into a Disposition and Development Agreement (DDA) with the Providence Baptist Church to relocate the congregation across Walnut Avenue. The church, located on Lorena Avenue between Walnut Avenue and the Edison High School Campus, entered into this agreement to transfer title to the Fresno Unified School District in exchange for a vacant property across the street on Walnut and Geary Avenues. The parcel was then improved and a new church building was constructed on site.

Walnut/Plumas Avenue Street improvements and alignment

The development agreement for the Edison Plaza mixed-use project at the southeast corner of California and Walnut triggered frontage improvements on California and the realignment and improvement of New Walnut from California to Lorena that is now completed. Preliminary plans for Phase II of the Edison Plaza Mixed-Use Project bounded by Lorena, Walnut, Plumas and Florence include construction of an 11,000 square foot early education center at the northwest corner of the site followed by 280 three- and four-bedroom units of affordable housing. This development triggers the need for widening and improvement of New Walnut from Lorena to Florence and potentially further south to Church Avenue.

Elm Avenue Business Corridor

Elm Avenue was reconstructed to a four-lane, divided, arterial street with landscaped median islands. Full improvements now include curbs, gutters, paving, street lights and street trees along both sides of the street. Sidewalks were provided along the west side of Elm to enhance pedestrian circulation. Major storm drain lines were completed to provide adequate storm drain services to the Elm Avenue Business Corridor. Water and sewer services are currently available to properties along the Corridor. Agency coordination with PG&E facilitated the completion of the undergrounding of utilities along Elm Avenue. The improvements to Elm Avenue have helped generate over 1 million square feet of industrial development.

Alleyways

To complement the Agency Housing Rehabilitation Program and California Avenue Revitalization, approximately twelve-point-five miles (the area bounded by Merced Street, Pottle

Avenue, California Avenue and Freeway 99) of alleyways were identified as needing work ranging from simple clean up to complete re-grading and repaving. The rehabilitation of the alleyways began in 2003 and was completed in 2006.

Southwest Fresno Community Meetings

In a continuing series of twenty-two meetings in fiscal year 2009-2010, the Agency presented the Southwest Fresno community an overview of redevelopment projects and plans. For maximum outreach, meetings were held at 11 Southwest Fresno school sites.

Tulare Street Improvements

Implementation of the West Fresno Community Vision Plan moved forward with the construction of two landscaped median islands for Tulare Street between "B" and "C" Streets. The West Fresno Community Vision Plan with over 300 community participants was prepared for the Council of Fresno County Government Commission and adopted by the City Council.

1747 B Street Development

The Agency approved an OPA to provide assistance for construction of sixteen (16) single-family low and moderate income homes at 1747 "B" Street.

Under the OPA, the Agency constructed the off-site improvements described as curb, gutter, sidewalk around perimeter of the development, sixteen driveway approaches, an alley approach and paving of alley at an estimated \$75,000. In addition, the Agency provided a grant in the amount of \$75,000 to assist in development costs of the affordable housing units. "Affordable Housing Covenants" were placed on three (3) of the sixteen (16) homes, requiring that the three homes be made available at affordable housing cost to, and be occupied by, persons and families of extremely low or moderate income for a period of not less than forty-five years.

La Vera Williams Day Care

The Agency facilitated development of a 9,500 square foot day care center at Fresno and "A" Streets accommodating 130 children, infant through elementary age. RDA assembled the land and also provided the off-site improvements and parking.

Joe's Market

This blighted property was purchased by the Agency in the Kearney Palms Shopping Center area was demolished in 2007 making way for continued redevelopment. The property located on 1260 "A" Street attracted loiterers to the area, generated neighborhood complaints, and was considered a blighting factor of the neighborhood.

Whites Bridge Road Planning and Development

The Agency made significant improvements to key roadways in Southwest Fresno. The project consisted of installation of curbs, gutters, sidewalks, ADA ramps, streetlights, and cold-recycling pavement on Whites Bridge Avenue, Amador, "A", "B", Stanislaus and Tuolumne Streets

between Teilman Avenue and Highway 99 in Southwest Fresno GNRA and a portion of Roeding Business Park.

California and Fruit Avenues Brownfields Cleanup Grant

The cleanup of this two-acre brownfields site, containing lead contaminants on the surface, will enable housing or other development. The Agency received a \$200,000 Environmental Protection Agency (EPA) Brownfields Grant for the physical cleanup and remediation of a portion of the property generally located at the southeast corner of California and Fruit Avenues. The Agency received the Notice of Award for the grant in February 2009, and secured the services of an environmental consultant to implement the cleanup work plan and an environmental contractor to complete the remediation work. The cleanup work totaling approximately \$285,000 consisted of installing and operating a vapor extraction system (groundwater monitoring wells, soil-vapor wells, air-spargers, catalytic oxidizer unit and granular activated carbon unit). The vapor extraction system was installed in March 2009 and the work completed in 2010.

Summer Hill Place

The Summer Hill Place project is located on a one-point-thirty-nine-acre parcel at 430 and 436 B Street (467-173-12T and 467-173-15T), and a one-point-fifty-two-acre parcel at 2150 S. Elm Avenue (478-074-26T) assembled by the Agency. The parcel's irregular shapes have been used to advantage by Developer, AMCAL, to create unique and attractive "villages." The project is well underway and when completed will provide forty-nine affordable units on the two sites, along with one (1) manager's unit. The project consists of twenty-eight 2BR/2BA units and twenty-one 3BR/2BA units. All of the 2BR units will be available to households of fifty percent of median income (AMI) or below, with some at rents as low as thirty percent and forty percent of AMI. All of the 3BR units will be available to families of sixty percent of AMI, with several at thirty percent and forty percent of AMI.

The total project value is approximately \$8,439,576. The Agency invested \$2 million and will receive fifty-five-year affordability covenants on the forty-nine low-income units. Once completed, the Summer Hill Place Apartments will help eliminate vacant, blighted parcels within the local neighborhood.

Westgate Gardens

Westgate Housing Associates, L.P., acting through its general partner, A.F. Evans, Inc., a California Corporation, rehabilitated a 100-Unit family rental property located at 848 East Belgravia Avenue (near Church Avenue and Martin Luther King Jr. Boulevard) with a thirty-year Agency loan of \$250,000, and private investment of approximately \$3,000,000. Westgate Gardens was an "expiring use" Section 8 property.

Each unit had substantial rehabilitation work done, including significant exterior improvements. A new on-site Community Center was constructed which included a computer/learning resource center for the residents' use. In total, approximately \$30,000 per unit was spent on the project

improvements. Ninety-eight of the 100 units within the Westgate Gardens complex, containing a total of 205 bedrooms, are dedicated to very low to low income families. The two remaining units are available to the complex's resident manager and maintenance personnel. The Company preserved the affordability of the ninety-eight units by retaining the Section 8 contract and underwriting the project at the tax credit rents so that in the event that the Section 8 rental assistance is terminated by HUD, the project rents will remain affordable to low income tenants.

South Clara Estates

In 2007, the City Council and the Agency Board approved an OPA to provide for construction of eleven (11) single-family low and moderate income homes at Clara and North Avenue ("South Clara Estates") and to provide for an Agency grant of approximately \$240,000 for construction of off-site improvements and ponding basin to assist the project's feasibility.

As a condition of development, the Fresno Metropolitan Flood Control District required construction of an on-site ponding basin.

Affordable Housing Covenants will be placed on all eleven (11) homes, requiring that the homes be made available to persons and families of extremely low, very low or low income for a period of not less than forty-five years.

Tuolumne-Merced, "A" – "B" Street Alley Improvements

This blighted alley servicing both commercial and residential properties was discouraging commercial traffic and private investment. The alley bordered by Tuolumne and Merced Streets, and "A" and "B" Streets was cleaned of various debris, overgrown grass and weeds that accumulated on the alley shoulders. Additionally, the alley shoulders were improved with concrete millings, providing for a drivable yet permeable surface to provide water percolation during rain storms. Various asphalt patching improvements were also placed to repair the street surface.

Fink White Park Development/Improvements

The Fink-White Project rehabilitated the playground with improvements including the resurfacing of basketball courts, upgrading of fencing, lighting and electrical service, installation of new walkways for the physically challenged, and the installation of a picnic pavilion with tables, benches, and barbeques. The Agency contributed \$75,000 to access a National Parks Service Urban Parks and Recreation Recovery (URARR) Program grant of \$285,073, and a State grant of \$47,174 for a total budget of \$407,247.

III. PROJECT AREA DESCRIPTION

A. BOUNDARIES AND LAND USE

The Project Area is located southwest of Highway 99 and is generally bounded by the 180 Freeway to the north, West Street to the west, Church Street to the south, and Highway 99 to the northeast. It also includes properties along and adjacent to Elm Street between Church Street and North Avenue, and properties along and adjacent to North Avenue between Lee Avenue and Cherry Avenue (see Figure 1).

The Southwest Fresno GNRA portion of the Project Area was created by adoption of a redevelopment plan for the area in 1969. The Southwest Fresno GNRA includes 1,757 acres (gross).⁴ The Fruit Church portion of the Project Area was created by adoption of a redevelopment plan in 1971. The Fruit Church area is comprised of 143 acres (gross). Combined, the Project Area's gross acreage is 1,900 and total net acreage (excluding public rights of way) is approximately 1,446 acres.

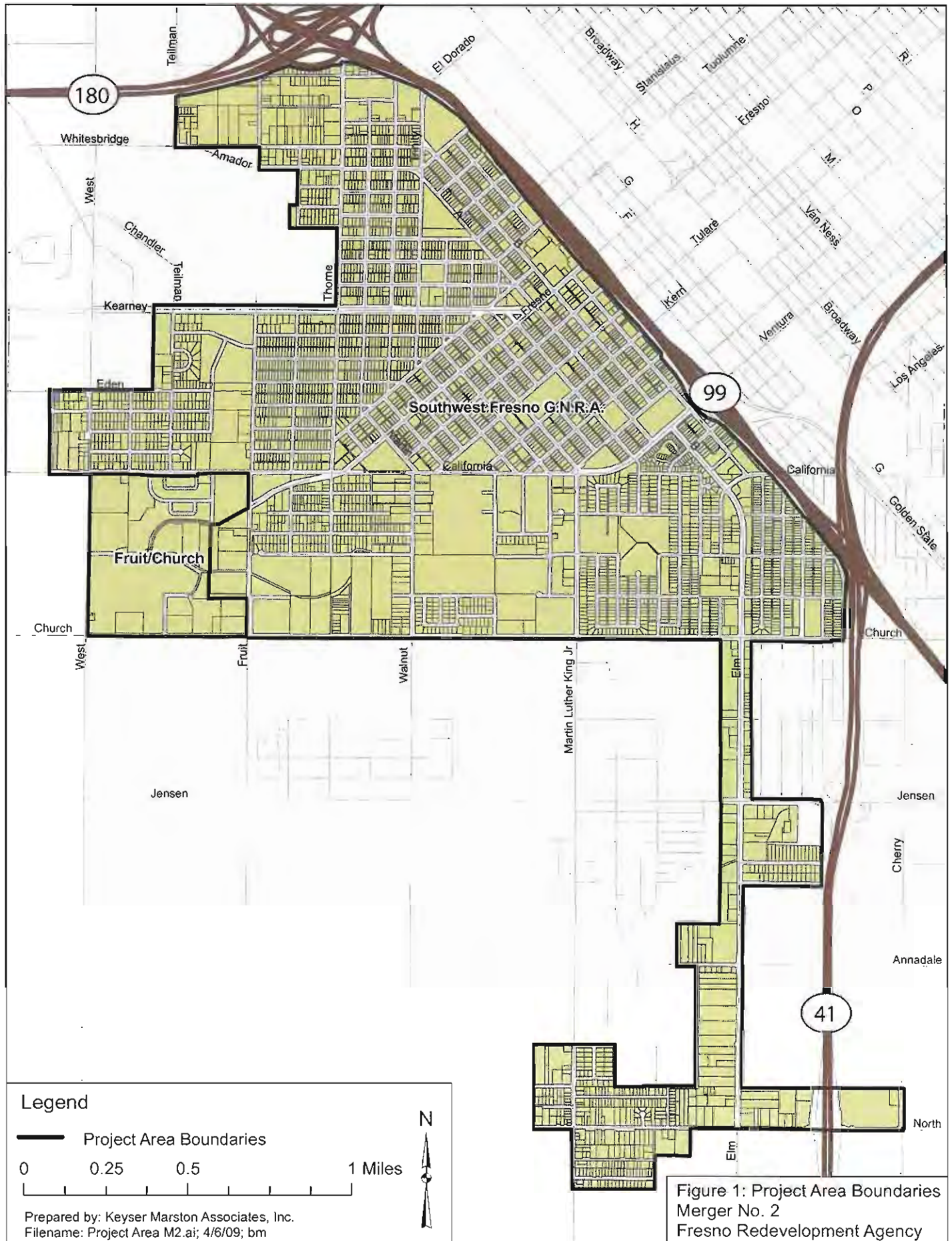
Table 3: Project Area Land Uses

Land Use	Parcels	% of Total	Acres	% of Total
Single-Family Residential	2,965	74%	605	42%
Multi-family Residential	228	6%	147	10%
Commercial Retail	121	3%	84	6%
Commercial Office	11	0.3%	14	1%
Industrial	25	0.6%	99	7%
Public/Quasi Public	95	2%	129	9%
Open Space/Recreation	37	1%	73	5%
Vacant Property	539	13%	286	20%
TOTAL	4,025	100%	1,446	100%

Numbers may not add due to rounding. Source: City of Fresno, Fresno County Assessor

As shown in Table 3, the majority of the Project Area (as measured by acreage and number of parcels) is single-family residential properties, which account for seventy-four percent of parcels and forty-two percent of the acreage. Multi-family properties account for an additional six percent of parcels and ten percent of acreage. Thirteen percent of the parcels and twenty percent of the acreage in the Project Area is vacant land. Commercial uses (both retail and

⁴ Gross acreage includes land area devoted to public rights-of-way (i.e. streets, alleys and railroad rights of way).



office) combined account for roughly three percent of the parcels and eight percent of the acreage. Most of the commercial uses are located along B Street near the downtown and along Elm Avenue. Public/quasi-public uses account for two percent of the parcels and nine percent of total acreage. These uses include two public high schools (Edison and New Millennium Charter), multiple middle and elementary schools, parks and playgrounds, and a number of churches and other community uses. Industrial uses account for less than one percent of total parcels and seven percent of net acreage. The industrial uses are located primarily along Church Avenue in the Fruit/Church area and on Elm Avenue and North Avenue in the southern portion of the Project Area.

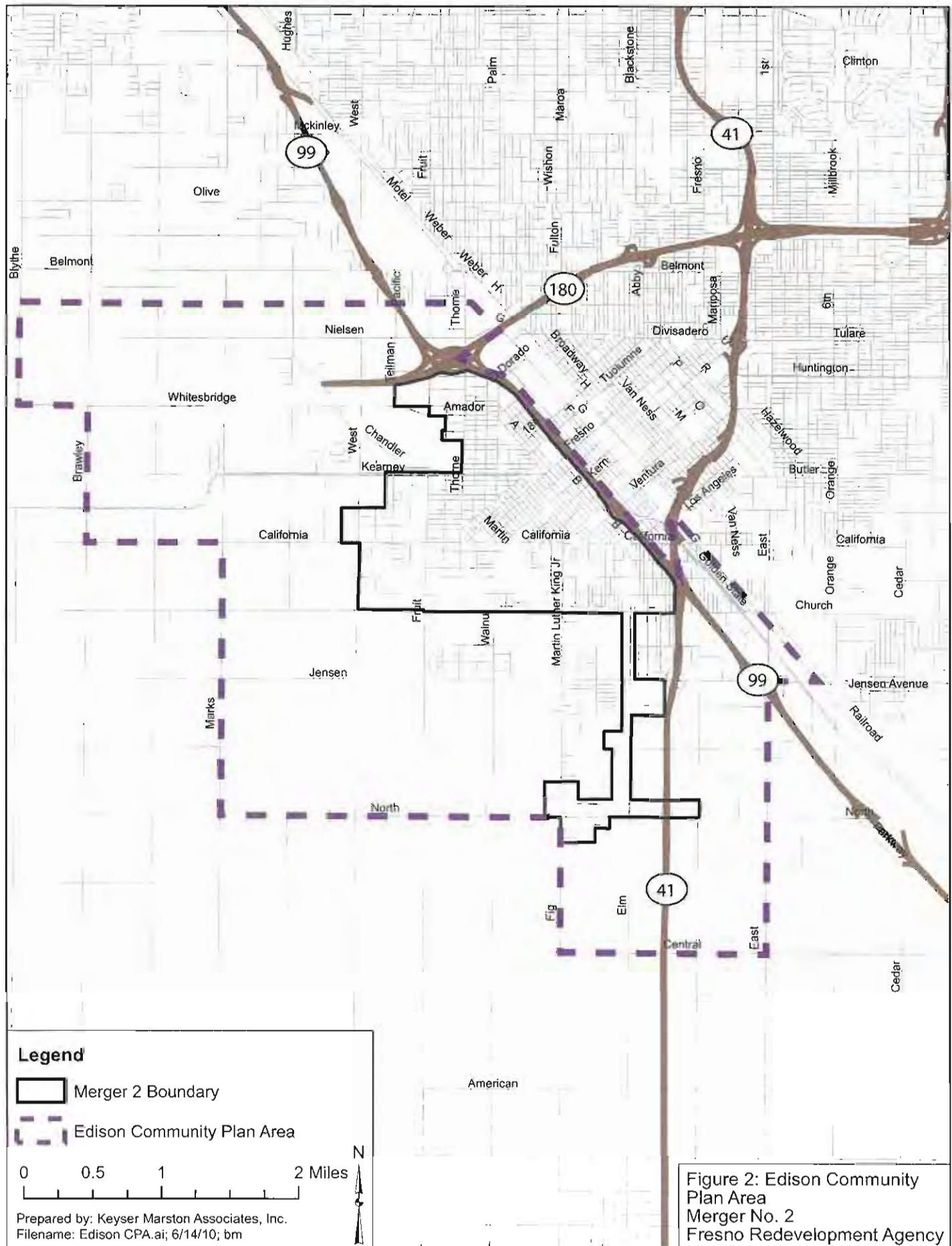
The Project Area is located within the City's *Edison Community Plan* area (see Figure 2). The Edison Community Plan was adopted in 1977 to guide development and land use in the area. The Project Area includes a mix of land uses, though the predominant land use is single-family residential. The land use designations area predominantly medium density residential, with industrial uses in the northwest portion of the Project Area adjacent to the Chandler Airport, in the southern portion of the Fruit/Church area, and along Elm and North Avenues in the southern portion of the Project Area (see Figure 3). There is also a significant amount of vacant land, located primarily in the Fruit/Church area, north of Church Street between Fruit Avenue and Martin Luther King Jr. Avenue, and along Elm Avenue.

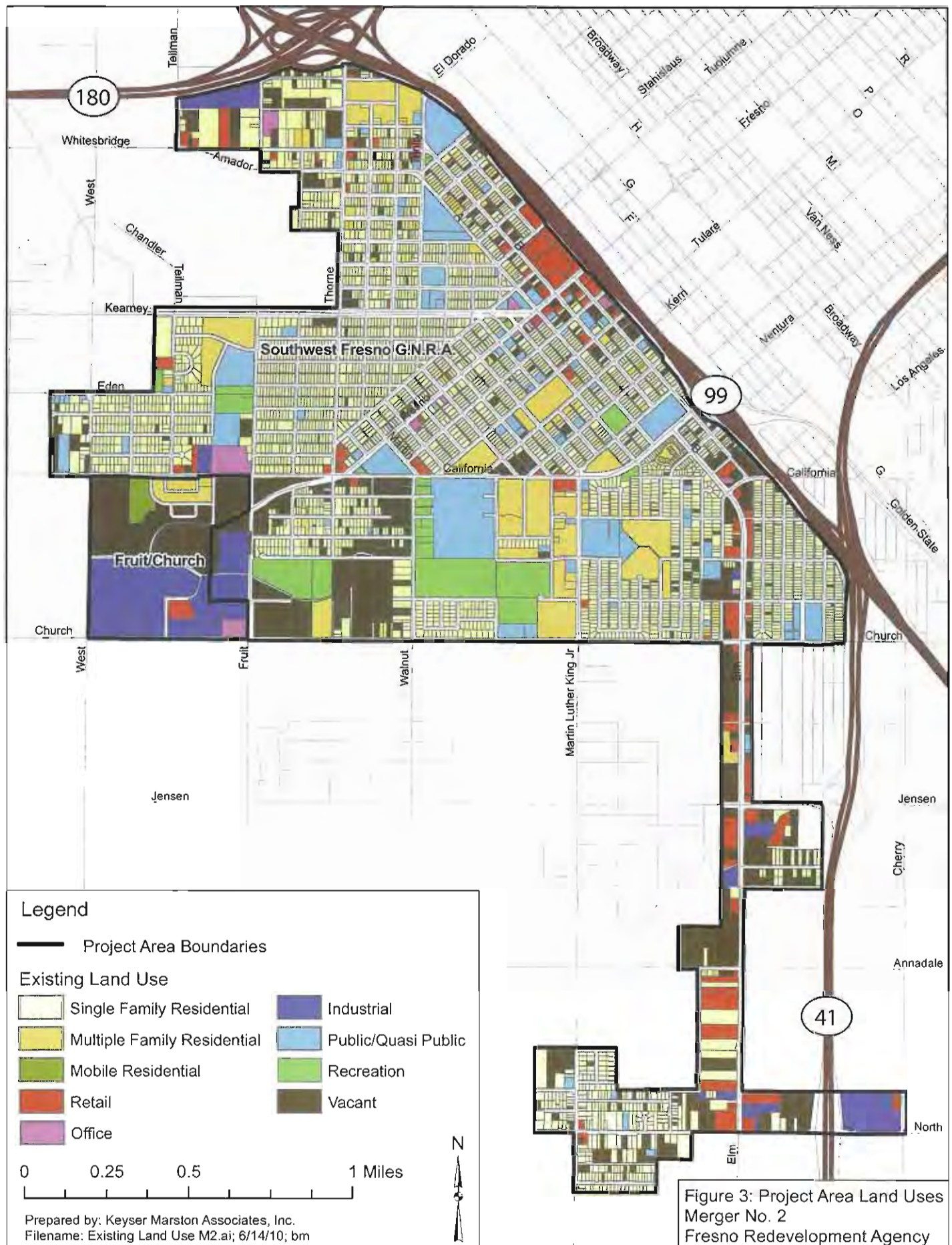
A significant portion of the Project Area (between California Street and Thorne Avenue southwest of Highway 99) was developed during the early part of the 20th century. The portion of this area southeast of Merced Street is laid out on the original diagonal City grid system parallel to the two railroad lines that run through the downtown.

Major land uses include Edison High School, Computech Middle School, and five elementary schools. The Chandler Downtown Airport is immediately adjacent to the western part of the Project Area between Whitesbridge Avenue and Kearney Boulevard.

The Project Area is in close proximity to downtown and is served by three major freeways (Highways 180, 99 and 41) and a number of arterial and collector streets. Arterial streets include Elm and Walnut Avenues running north-south. Running east-west, arterial streets include Whitesbridge, California, West and Jensen Avenues. In addition, Fresno and B Streets, which are aligned with the City's original diagonal grid, are designated as arterial streets.

(Text continues on page 18)





B. DEMOGRAPHICS AND GENERAL SOCIAL AND ECONOMIC CONDITIONS

Historically, the Project Area (and the Edison Community in general) is within one of the oldest portions of the City. The Project Area includes a core portion of the greater West Fresno (Westside) community, development of which began in the 1880s. West Fresno has been home to successive waves of immigrant and minority settlers. Ultimately, the Edison Community declined and became the most disadvantaged portion of the City. Factors contributing to the concentration of poverty and disinvestment in the area include:

- Historic patterns of redlining and restrictive covenants that were not struck down until the mid- 20th century.
- As the most affordable housing stock, the area serves as one of the gateway communities to recent immigrants.
- Incompatible mix of land uses (residential and industrial) in portions of the area.
- Disinvestment in the downtown beginning in the 1960s had a negative impact on the Project Area as well.
- The City's rapid growth since the 1970s has been suburban development to the north, with the jobs created going north with the housing.

A study prepared jointly by the Federal Reserve System and the Brookings Institution ("FRS/Brookings Study") published in 2008 included West Fresno (which includes the Project Area) as one of sixteen case studies of communities with high concentrations of poverty in the U.S. The FRS/Brookings Study was prepared as a means of helping the Federal Reserve better understand the impacts of high concentrations of poverty on the different types of communities affected. For purposes of the Study, Fresno was characterized as an "immigrant gateway" community along with the cities of Miami, El Paso and Long Beach.

Based upon research and interviews of community leaders and representatives, the FRS/Brookings Study identified three key challenges for the West Fresno Community:

- A weak investment environment for commercial development as well as for market-rate and mixed-income housing development.
- Because neighborhood youth are not being provided quality education and skill development opportunities, difficulties in overcoming generational poverty persist.
- The ability of community organizations to address the range of factors contributing to concentrated poverty is limited due to a lack of funding and organizational capacity.

Many of these conditions and their impacts are evident in the demographics of the Project Area. The estimated 2009 population in the Project Area is 16,897 in 4,355 households. With an average household size of three-point-nine persons, households appear to be twenty-six percent larger on average than the City (three-point-one persons) and twenty-five percent larger than the County (three-point-two persons). With a relatively low average age (twenty-nine-point-seven) vs. the City (thirty-two-point-seven) and the County (thirty-three-point-six), the Project Area appears to have larger households with more young people than on average City and Countywide.

Table 4: Population Characteristics

	Population					
	1990	2009 (Est.)	Percent Change	No. of Households	Average Household Size	Average Age
Merger 2 Project Area	14,359	16,897	18%	4,355	3.9	29.7
City of Fresno	356,035	477,831	34%	153,747	3.1	32.7
Fresno County	667,588	926,508	39%	287,291	3.2	33.6

Source: Claritas

Income and education levels are relatively low in the Project Area, with a median household income (\$21,373) that is fifty percent lower than the City median (\$43,113) and fifty-four percent lower than the County median (\$46,847). Almost half of families in the Project Area live below poverty level and the estimated 2009 unemployment rate is significantly above the unemployment rates for both the City and the County overall. Sixty-three percent of persons over twenty-five years of age have less than a high school education. The unemployment rate is much higher, at approximately twenty-two percent vs. fifteen-point-nine percent for the City and sixteen-point-nine for Fresno County.

Table 5: Income and Educational Attainment

	Median Household Income	Per Capita Income	Percent of Families w/ Income Below Poverty Level	Unemployment Rate*	Pop. 25+ With Less Than High School Diploma or Equivalent
Merger 2 Project Area	\$21,373	\$7,932	49%	22.3%	63%
City of Fresno	\$43,113	\$19,223	20%	15.9%	30%
Fresno County	\$46,847	\$20,217	17%	16.9%	32%

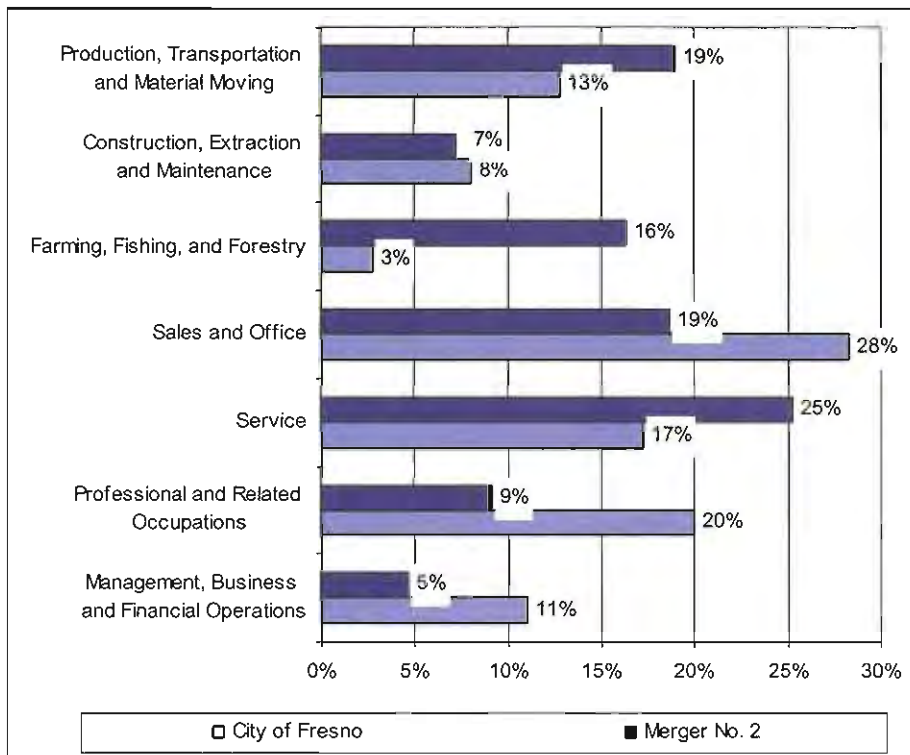
*Unemployment rate for Southwest Fresno.

Source: Unemployment rates for Fresno City and County from State of California Employment Development Department. Unemployment rate for the Project Area from the Federal Reserve Bank of San Francisco. All other data from Claritas

These low income and education levels, and high levels of unemployment make it difficult for residents to purchase and maintain homes, start businesses, redevelopment blighted properties or otherwise invest in their community.

The majority of residents in the Project Area are employed in the Service sector (twenty-five percent), the Production, Transportation and Material Moving sector (nineteen percent) and the Sales and Office sector (nineteen percent). A significant percentage (sixteen percent) of employed residents work in the Farming, Fishing and Forestry sector most likely in farming and food processing relative jobs which typically pay relatively low wages.

Chart 1: Employment by Sector



Source: Claritas

The percentage of housing units that are renter-occupied is significantly higher in the Project Area (sixty-five percent vs. forty-eight percent for the City and forty-two percent for the County). As a corollary, only thirty-five percent of housing units are owner-occupied vs. fifty-two percent Citywide and fifty-eight percent Countywide. In addition, the median value of the owner-occupied housing units (\$122,847) is low when compared to the City median, which is \$214,479 or forty-three percent higher, and the County median, which is \$232,988 or forty-seven percent higher.

Table 6: Housing Unit Tenure and Estimated Median Value

	Total Occupied Housing Units	Renter- Occupied Units	Owner- Occupied Units	Percent Renter- Occupied Units	Percent Owner- Occupied Units	Owner- Occupied Median Value
Merger 2 Project Area	4,335	2,805	1,530	65%	35%	\$122,847
City of Fresno	153,747	73,646	80,101	48%	52%	\$214,479
Fresno County	287,291	120,646	166,645	42%	58%	\$232,988

Source: Claritas

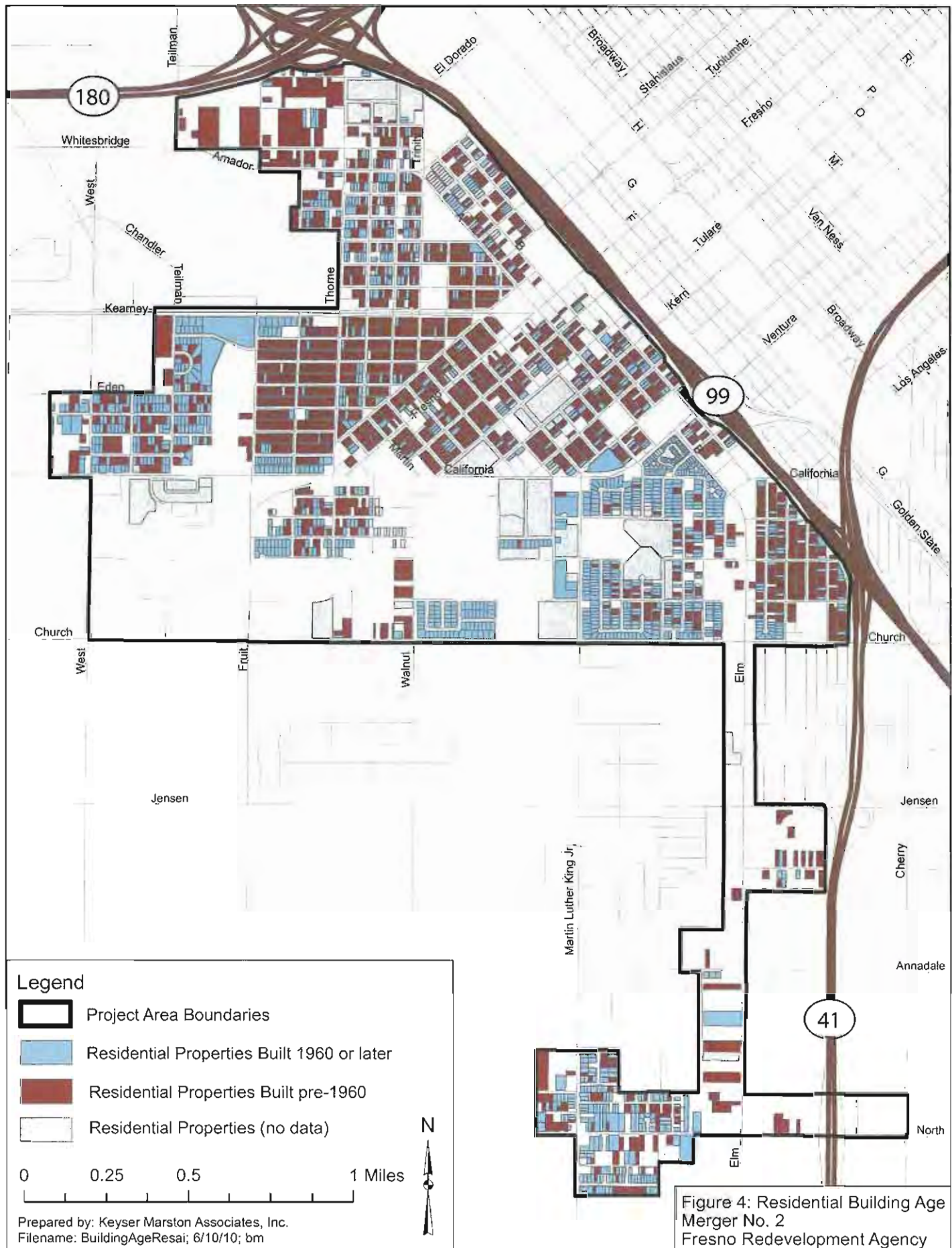
C. AGE AND GENERAL CONDITION OF THE BUILDING STOCK

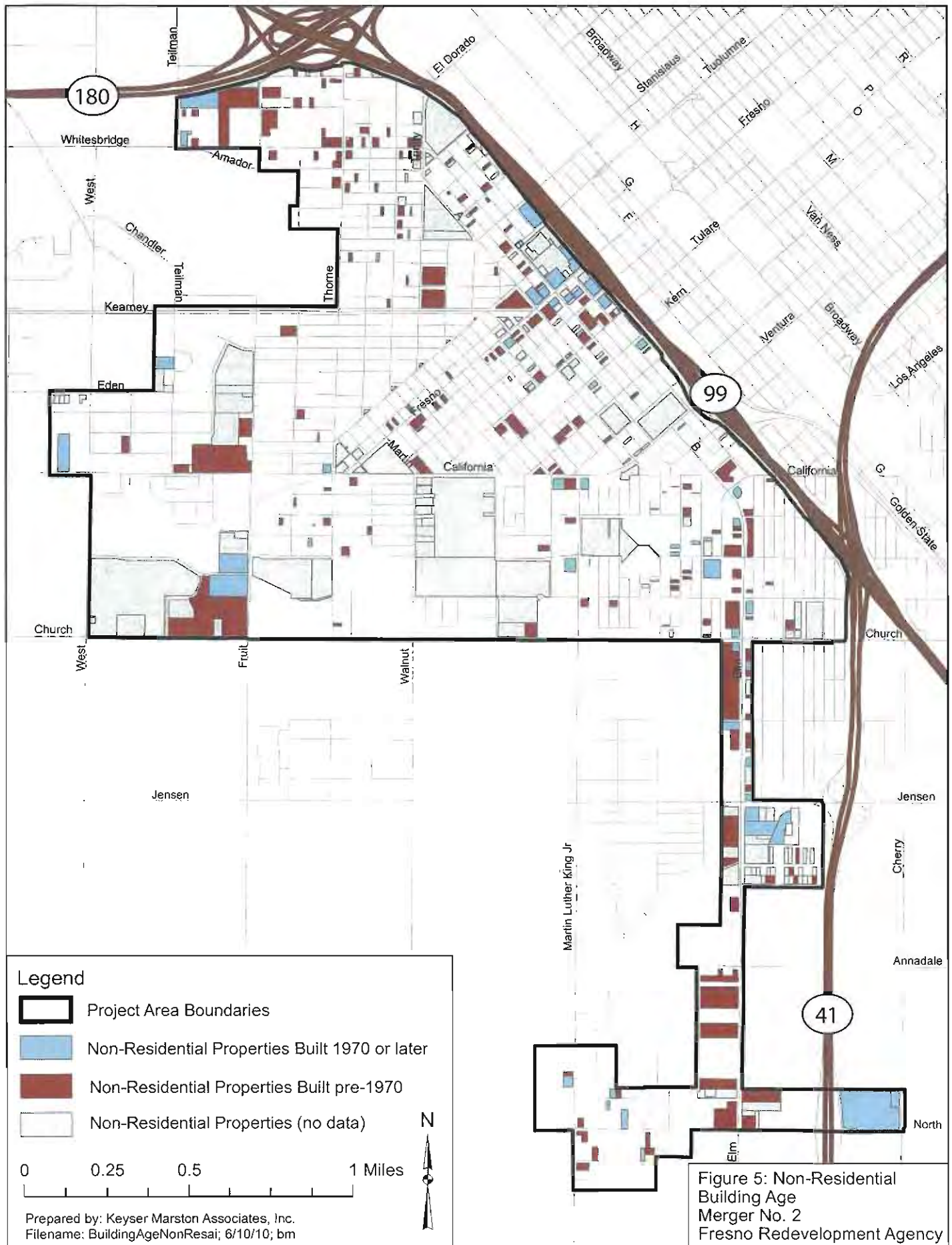
As part of one of the oldest areas of Fresno, the Project Area has a significant portion of the older building stock outside of the downtown. The residential building stock in particular is older, and as described elsewhere in this report, shows signs of deterioration, lack of maintenance and general neglect.

As buildings age over time, they ultimately become obsolete without on-going or major reinvestment to upgrade or replace obsolete systems and components. In addition, changes in market conditions can cause building sizes and configurations to become obsolete. Typically, residential buildings (single-family homes and apartments) have a useful service life of fifty to fifty-five years, and industrial and commercial buildings forty-to fifty years.⁵ Using year of construction data from Metroscan, the number of residential buildings constructed before 1960 (more than fifty years old) and the number of non-residential buildings constructed before 1940 (more than forty years old) were estimated. Data was available for ninety-six percent of the residential buildings and seventy-two percent of the non-residential buildings. Approximately two thirds of the residential buildings were built before 1960 and are thus more than fifty years old (Figure 4). Seventy nine percent of the non-residential buildings were built before 1970 and are thus more than forty years old (Figure 5). Given the poor condition of many of the buildings in the Project Area (as describe in Section IV.C of this Report, it is apparent that the level of reinvestment to rehabilitate and upgrade properties in the Project Area has not been sufficient to alleviate blighting conditions.

(Text continues on page 24)

⁵ Source: Marshall & Swift appraisers handbook.





D. NUISANCES AND EVIDENCE OF UNDERUTILIZATION, DISINVESTMENT AND DISUSE

1. Vacant and Underutilized Land

The Project Area has a high number and percentage of vacant and underutilized parcels. In 1998, the Project Area had an excessive number of vacant lots, with approximately sixteen percent of the number of properties vacant. These properties represented twenty-three percent of the total privately-owned acreage. The vast majority of the parcels identified as vacant in 1998 remained vacant as of 2008 when the field survey was completed. A total of 539 parcels equating to thirteen percent of all the parcels surveyed and twenty percent of the total net acreage were vacant.

Other indicators of vacancy and underutilization were noted during the field survey, include boarded up doors and windows, vacant buildings, and vacant properties listed for sale were noted. Combined, all of these conditions affect seventeen percent of the parcels in the Project Area. These conditions are shown on Figure 6.

Table 7: Vacant and Underutilized Parcels

	No. of Parcels	Percent of Total Parcels
Vacant Lots	472	12%
Vacant Buildings	83	2%
Boarded Windows	85	2%
Boarded Entry	37	0.9%
Property for Sale	77	2%
Total Instances	754	--
Combined Total of Parcels Affected	663	17%

Percentages may not add due to rounding.
Source: 2008; 3DV Field Survey

2. Nuisances and Neglect

In addition to a high level of vacant and underutilized land, the Project Area exhibits a number of other conditions that are indicators of disinvestment and neglect. These conditions make the Project Area appear to be "blighted" to potential investors and the community at large. The conditions noted include litter and debris, dumping, graffiti, abandoned cars, homeless encampments, and exposed dirt (unpaved outdoor parking areas, dead lawns, etc.). Combined, these conditions were noted on thirty-two percent of the parcels in the Project Area (see Figure 7). The high percentage of properties affected by these conditions negatively affects the perceptions of the community and contributes to an appearance of blight in the Project Area.

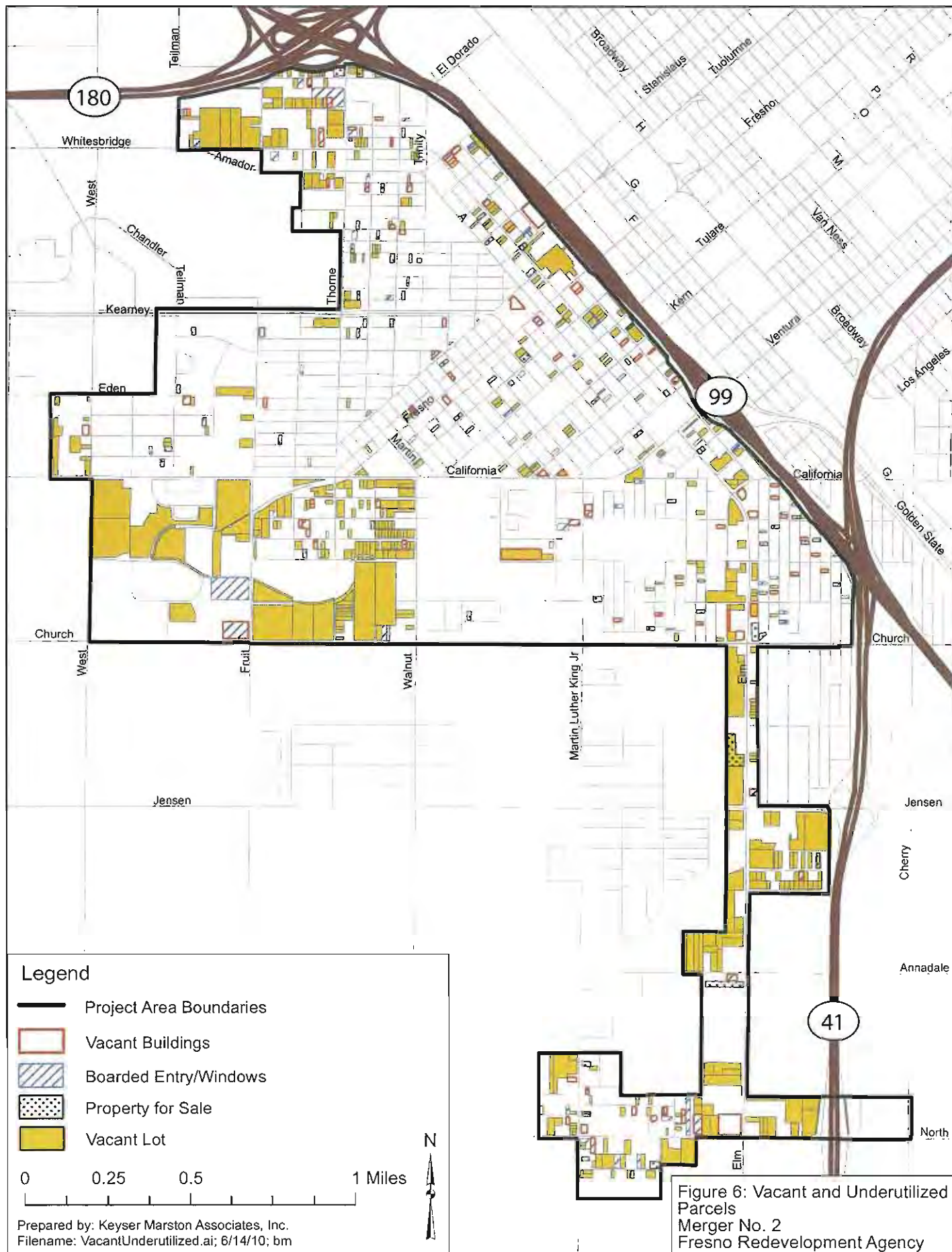


Table 8: Indicators of Nuisances and Neglect

	No. of Parcels	Percent of Total Parcels
Litter	780	20%
Debris	217	6%
Dumping	133	3%
Graffiti	45	1%
Weeds	47	1%
Exposed Dirt	623	16%
Abandoned Cars	26	0.7%
Homeless	5	0.1%
Total Instances	1,876	--
Combined Total of Parcels Affected	1249	32%

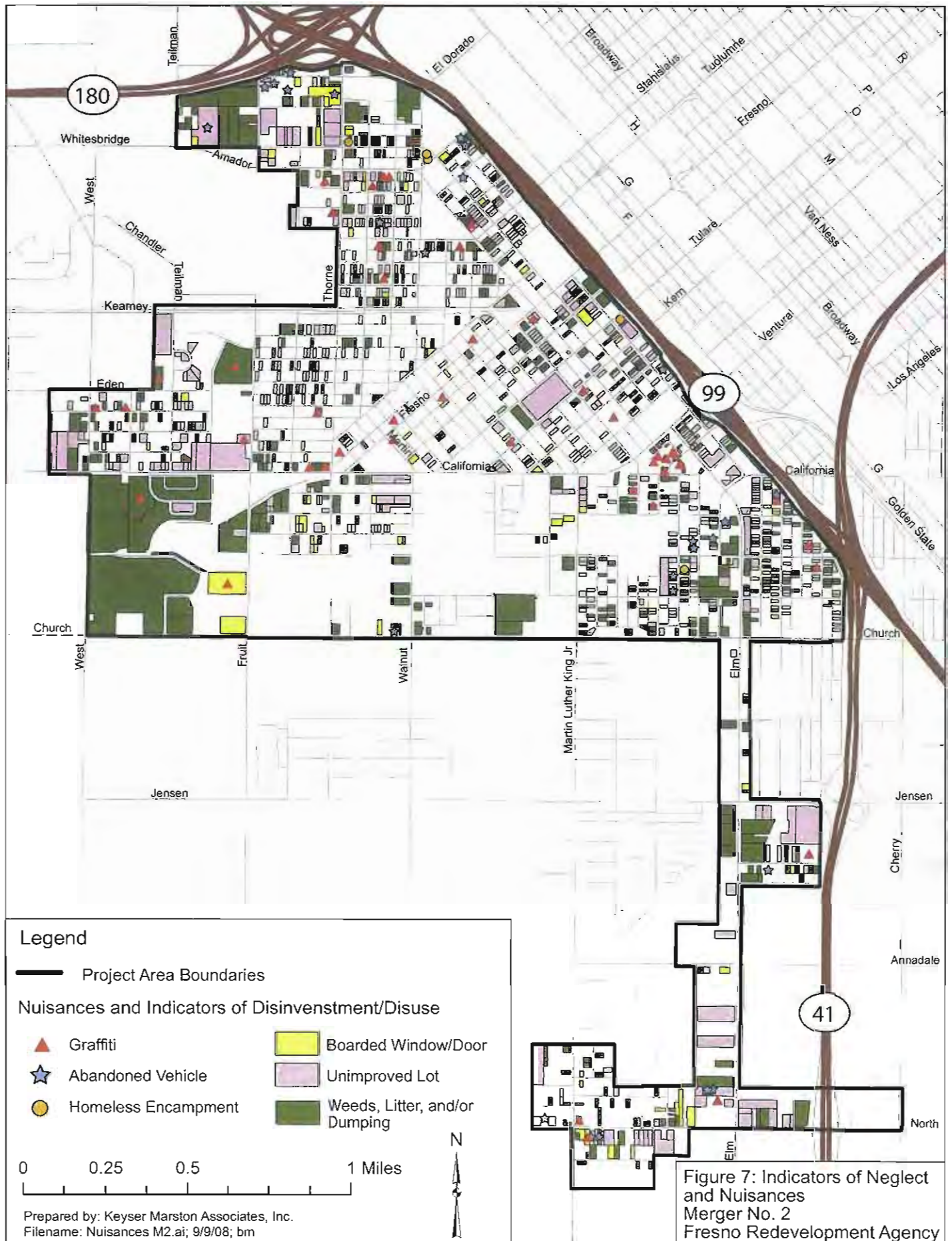
Percentages may not add due to rounding.

Source: 2008 3DV Field Survey

E. BLIGHTING CONDITIONS AT THE TIME OF ADOPTION

At the time that the Southwest Fresno GNRA ("SWFGNRA") was adopted (1969), the blighting conditions included many dilapidated structures, adjacent incompatible uses (typically heavy commercial and industrial adjacent to residential), depreciated property values, and a lack of necessary commercial facilities. Specifically, as described in the ordinance adopting the Redevelopment Plan, the Project Area was found to suffer from the following conditions:

- Overcrowding and improper location of structures on the land;
- Conversions to incompatible types of uses, such as rooming houses among family dwellings;
- Obsolete building types, such as large residences or other buildings which through lack of use and maintenance have a blighting influence;
- Detrimental land uses and conditions, such as incompatible use, structures in mixed-use, and adverse influences from noise, smoke, and fumes;
- Unsafe, congested, poorly designed and otherwise deficient streets; and
- Inadequate public utilities and community facilities contributing to unsatisfactory living conditions and economic decline and an excessive number of substandard structures.



At the time of adoption of the Fruit/Church Project Area (1971), with the exception of a large public housing project and an old neighborhood commercial structure, the seventeen parcels that then comprised the project area were largely underutilized except for a few establishments engaged in intensive industrial uses. At that time, Fruit Church included five publicly-owned parcels that supported open space, a City sewage pre-treatment plant, a ponding basin and other utilities.

Fruit/Church was plagued by incompatible land uses; excessive vacant or underutilized land; a lack of public facilities/infrastructure; the presence of wrecking yards, settling ponds and a dump; environmental issues including odor problems from industrial uses and a wastewater treatment plant; and many land use/zoning conflicts.

By 1998, though some of these blighting conditions had been abated, blighting conditions such as underutilized land, incompatible adjacent uses, and environmental nuisances persisted in both areas. In order to address these blighting conditions in a more comprehensive manner and to provide greater flexibility and financial capacity, the Agency merged Southwest Fresno GNRA and Fruit Church in 1998.

F. BLIGHTING CONDITIONS AT THE TIME OF THE MERGER (1998)

One component of the blight analysis was a sample field survey conducted by licensed building inspectors. Survey looked at structural conditions and instances of code violations for every other parcel, representing a fifty percent sample. Buildings were rated good, fair, deteriorated or dilapidated. Buildings that were rated in one of the latter three categories were considered to be below acceptable quality standards - ranging from those structures requiring minor repairs and routine maintenance (fair) to those that would be candidates for demolition (dilapidated).

There were also a large number of vacant lots in the Project Area: sixteen percent of parcels in the SWGNRA and fifty-three percent in the Fruit/Church Project Area. Many of the vacant lots in the Project Area had become depositories of abandoned equipment and furniture, and also had litter and graffiti.

Table 9: Conditions at Time of Project Area Merger

Condition Rating/Use	Fruit/Church	SWFGNRA
Contained Buildings Rated Good	25%	8%
Contained Buildings Rated Below Acceptable Quality Standards	40%	75%
Vacant Lots	30%	17%
Other Parcel Use	5%	0.5%

The quality of the building stock within the Merged Project Area was found to have suffered significantly from neglect and the lack of investment from private property owners. Whereas building deterioration was found to be significant and pervasive at the time that both Redevelopment Plans were adopted, the unabated condition had worsened over time. For example, sixty-eight percent of the housing stock in the SWFGNRA during the 1998 survey was found to be below acceptable quality standards, with forty-seven percent being so severely deficient as to be considered candidates for demolition. In addition, for becoming dumping grounds, the prevalence of underutilized and/or vacant land was found to be reflective of a stagnant economic climate and visually reinforce the sense of neglect and abandonment in the area. Over seventy percent of parcels in the combined Project Areas were found to either contain buildings below acceptable quality standards or were underutilized or vacant lots.

According to the 1998 Report, building age is a factor that can inhibit the economically viable use or capacity of those structures, especially if a large percentage of the building stock is deteriorated. Approximately seventy-five percent of the existing buildings were at least forty years old. A sharp decrease in new construction over the prior twenty years in the area was further indication of a lack of private investment. A high percent of the older commercial and industrial structures were found to be either functionally obsolete.

Incompatible adjacent uses were also found to be a blighting factor, especially in the Fruit/Church Project Area, where industrial uses were adjoining residential neighborhoods. Along with a ponding basin and wastewater treatment facility, the businesses in the area were predominantly heavy industrial and meat processing/rendering plants, with single-family homes and a public housing complex located facing these facilities. The residential uses were separated from the heavy industrial uses mainly by tracts of underutilized land littered with trash, lumber or rusted equipment. The visibility and constant awareness of these conditions seriously detracted from the attractiveness of nearby housing and the large number of vacant lots surrounding the area also reflected the negative influence industrial uses had on the housing market.

An analysis of the change in assessed property values for the five-year period prior to the merger (1991/92 through 1996/97) revealed that while total assessed value Citywide increased by over twenty-six percent, in the SWFGNRA it increased by only nine percent and declined overall by almost two percent in the Fruit Church Project Area.

Residential overcrowding was also found to be significant in the Project Areas, with twenty-six percent of the housing units being overcrowded (more than one-point-zero persons per room) vs. only thirteen percent of housing units being overcrowded in the City overall. The average number of persons per household in the census tracts incorporating the Project Areas was three-point-thirty-one vs. an average of two-point-eighty-eight per household for the City as a whole. The Project Areas were also affected by a very high crime rate that was thirty-four percent higher in the Project Areas census tracts compared to the crime rate Citywide.

At the time of the merger, the 1990 census data indicated that there was a population base of 21,206 persons in 6,406 households. Despite this population base, there were no major commercial facilities in the Project Areas, with the nearest commercial areas to the north or northeast of the 99 Freeway. Residents had to travel outside of their community to fill their basic shopping needs. The area also lacked professional services and banking institutions.

IV. SIGNIFICANT REMAINING BLIGHT

A. AMENDMENT PROCEDURES AND REQUIREMENTS

Section 33457.1 of the CRL provides that “[t]o the extent warranted by a proposed amendment to a redevelopment plan, (1) the ordinance adopting an amendment to the redevelopment plan shall contain the findings required by Section 33367...” Therefore, because the Agency is not adding territory or adopting a new project area, the Agency will follow applicable provisions, to the extent warranted, of CRL Sections 33320.1, *et seq.* and 33450, *et seq.*, pursuant to Section 33457.1. Specifically, the Agency will not have to adopt a survey area or amend the Preliminary Plan or declare a base year, which are required actions for the adoption of a new project area or the addition of territory.

1. Requirements to Extend Plan Duration, Amend Tax Increment Limit, or Extend the Time Limits to Establish Indebtedness Contained in CRL Section 33354.6

Per Section 33354.6 of the CRL, when a redevelopment agency proposes to amend a redevelopment plan that utilizes tax increment financing to increase either the limitation on the number of dollars to be allocated to the agency (the tax increment limit) or the time limit on the establishing of loans, advances, and indebtedness, or lengthen the period during which the redevelopment plan is effective, the agency must follow the same procedure, and the legislative body is subject to the same restrictions as provided for Article 4 of the CRL for the adoption of a redevelopment plan.

In addition, per Section 33354.6(b), if the agency proposes to increase the tax increment limit, the agency must describe and identify, in the report to the legislative body, the remaining blight within the project area; identify the portion, if any, that is no longer blighted; the projects that are required to be completed to eradicate the remaining blight and the relationship between the costs of those projects and the amount of increase in the number of dollars to allocated to the agency.

Therefore, because the Agency desires to increase the tax increment limits, extend plan duration, and extend the time limits for the establishment of debt for the Constituent Plans as described in Section II, the information required by Section 33354.6(b) is contained herein.

2. Requirements to Extend Plan Duration, and Time Limit for the Receipt of Tax Increment and the Repayment of Bonded Indebtedness Contained in CRL Section 33333.11.

Per CRL Section 33333.10, for redevelopment plans adopted on or before December 31, 1993, a redevelopment agency may amend a redevelopment plan to extend the time limit on the effectiveness of the plan and amend the time limit on the payment of indebtedness and

receipt of property taxes for up to ten additional years, but only after the agency finds, based on substantial evidence, the both of the following conditions exist:

- (1) Significant blight remains in the project area.
- (2) This blight cannot be eliminated without extending the effectiveness of the plan and the receipt of property taxes.

Per Section 33333.10(d), significant blight can exist in a project area even though blight is not prevalent in the project area. The report to the legislative body is required to identify on a map the portion of the project area in which significant blight remains.

A description of the remaining blighting conditions, along with the required map described above is included herein. The reasons why the blighting conditions cannot be alleviated without extending the effectiveness of the plan and the time limit for the receipt of tax increment and payment of indebtedness are described in Section VI of this Report.

3. Requirements to Extend the Agency's Authority to Utilize Eminent Domain Contained in CRL Section 33333.2(a)(4).

As required by CRL Section 33333.4(a)(4), every redevelopment plan that provides eminent domain authority must include a time limit not to exceed 12 years. As provided by law, this limit may be extended by 12 years by amendment of the Constituent Plans after the Agency finds, based on substantial evidence, both of the following:

- That significant blight remains within the Project Area; and
- That this blight cannot be eliminated without the use of eminent domain.

The descriptions of the significant remaining blighting conditions are contained in this Section of the Report.

B. DEFINITIONS OF REMAINING BLIGHT

Effective January 1, 2007, the definitions of blight contained in Section 33031 of the CRL were changed and are now different from those in effect at the time of the merger of the Project Areas in 1998. Both the old and new definitions are summarized in Table 10 on the following page.

Table 10: Definitions of Blight

1994-2006 Blight Definitions		Current Blight Definitions (as of 1/1/07)	
CRL 33031(a) - Physical Blighting Characteristics			
(1)	Buildings in which it is unsafe or unhealthy for persons to live or work. These conditions can be caused by serious building code violations, dilapidation and deterioration, defective design or physical construction, faulty or inadequate utilities, or similar factors.	(1)	Buildings in which it is unsafe or unhealthy for persons to live or work. These conditions may be caused by <u>serious</u> building code violations, <u>serious</u> dilapidation and deterioration <u>caused by long-term neglect, construction that is vulnerable to serious damage from seismic or geologic hazards, and faulty or inadequate water or sewer utilities.</u>
(2)	Factors that prevent or substantially hinder the economically viable use or capacity of buildings or lots. This condition can be caused by substandard design, inadequate building size given present standards and market conditions, lack of parking, or other similar factors.	(2)	<u>Conditions</u> that prevent or substantially hinder the viable use or capacity of buildings or lots. These conditions may be caused by buildings of substandard, <u>defective or obsolete</u> design or construction given <u>the present general plan, zoning, or other development standards.</u>
(3)	Adjacent or nearby uses that are incompatible with each other and which prevent the economic development of those parcels or other portions of the project area.	(3)	Adjacent or nearby incompatible land uses that prevent the development of those parcels or other portions of the project area.
(4)	The existence of subdivided lots of irregular form and shape and inadequate size for proper usefulness and development that are in multiple ownership.	(4)	The existence of subdivided lots that are in multiple ownership <u>and whose physical development has been impaired by their irregular shapes and inadequate sizes, given present general plan and zoning standards and present market conditions.</u>
CRL 33031(b) - Economic Blighting Characteristics			
(1)	Depreciated or stagnant property values or impaired investments, including but not necessarily limited to, those properties containing hazardous wastes that require the use of agency authority as specified in Article 12.5 (commencing with Section 33459).	(1)	Depreciated or stagnant property values.
		(2)	Impaired <u>property values, due in significant part, to</u> hazardous wastes on property where the agency may be eligible to use its authority as specified in Article 12.5 (commencing with Section 33459).
(2)	Abnormally high business vacancies, abnormally low lease rates, high turnover rates, abandoned buildings, or excessive vacant lots within an area developed for urban use and served by utilities.	(3)	Abnormally high business vacancies, abnormally low lease rates, or an abnormally high number of abandoned buildings.
(3)	A lack of necessary commercial facilities that are normally found in neighborhoods, including grocery stores, drug stores, and banks and other lending institutions.	(4)	A <u>serious</u> lack of necessary commercial facilities that are normally found in neighborhoods, including grocery stores, drug stores, and banks and other lending institutions.
(4)	Residential overcrowding or an excess of bars, liquor stores, or businesses that cater exclusively to adults that has led to problems of public safety and welfare.	(5)	<u>Serious residential overcrowding that has resulted in significant public health or safety problems. As used in this paragraph, "overcrowding" means exceeding the standard referenced in Article 5 (commencing with Section 32) of Chapter 1 of Title 25 of the California Code of Regulations.</u>
		(6)	An excess of bars, liquor stores, or adult-oriented businesses that has resulted in significant public health, safety or welfare problems.
(5)	A high crime rate that constitutes a serious threat to the public safety and welfare.	(7)	A high crime rate that constitutes a serious threat to the public safety and welfare.

Common practice is to demonstrate significant remaining blight based upon both definitions of blight currently effective and those that were in effect at the time of adoption of a redevelopment plan. Therefore, in addition to the current blight standards, this Report addresses those

blighting conditions that were identified in the 1998 Report that still remain applicable to the Project Area.

To assess the remaining blighting conditions in the Project Area, a survey of the Project Area was completed in February 2008. Data regarding building and parcel conditions were collected on a parcel-by-parcel basis, based upon visual observations from the public rights-of-way. Information collected included general condition of buildings, and observations regarding vacant lots, vacant and/or abandoned buildings, unreinforced masonry buildings, and nuisances that affect the health and safety and quality of life for residents such as dumping, litter, debris, and graffiti. These data were collected by trained field surveyors, all of whom have training and/or education in architecture, construction management or planning. A more detailed summary of the survey methodology is included as Appendix 2. Of the 4,025 parcels in the Project Area, a total of 3,935 parcels (ninety-eight percent) were surveyed. Of the remaining ninety or two percent that were not surveyed, the majority of these parcels could not be observed from the public right of way (i.e. usually hidden by fencing or other obstructions). In the case of approximately fifteen parcels in the southeastern portion of the Project Area, the parcels were not surveyed because despite repeated attempts to access the street long enough to safely survey, the survey teams were unable to do so and the Fresno Police officers in the area recommended that the field survey team discontinue their efforts for safety reason as the neighborhood is part of the territory of a specific local gang that discouraged the presence of strangers in their "turf."

In addition to field survey data, secondary sources were used to identify both physical and economic blighting conditions, including Fresno County Assessor data (obtained through Metroscan), real estate databases (CoStar and Loopnet.com) and real estate market reports prepared by real estate brokerage firms. The City of Fresno provided building permit data, crime data, code violation data, and other basic property and land use information.

C. SIGNIFICANT REMAINING PHYSICAL BLIGHTING CONDITIONS

1. Buildings in Which it is Unsafe or Unhealthy for Persons to Live or Work

a) Serious Deterioration and Dilapidation

In the field survey, each building was given one of four possible ratings: "good," "deferred maintenance," "deteriorated," or "dilapidated." Buildings given a good rating were those that were in good condition, with no evidence of structural defects and that were well maintained. Ratings of deferred maintenance were given to buildings that would require minor repairs. Buildings in need of paint or that had minor deterioration around doors and windows, or other repairs that would normally be required over the useful life of a building would fall into this category. Buildings rated as deteriorated were those requiring major repair or replacement of major building components. These would include buildings with deteriorated or sagging roofs or walls, cracks in the building

foundation or structure, or other major repairs. These conditions can be: 1) evidence of possible structural failures; 2) locations where intrusion by the elements (especially rainwater) could deteriorate the building even faster; 3) locations that allow or support the intrusion of vermin; or 4) locations where unsafe/unhealthy conditions such as mold or wood rot would occur. Dilapidated structures were those which had multiple major building components in need of repair or replacement to such an extent that the building could not be rendered safe without major rehabilitation or investment.

Results of the field survey indicate that fourteen percent of the buildings were deteriorated and five percent of the buildings were dilapidated. Overall, nineteen percent of the buildings were deteriorated or dilapidated. The locations of the deteriorated and dilapidated buildings are shown on Figure 8. Example photographs of deteriorated and dilapidated buildings are included in the Appendices.

Table 11: Overall Building Condition

	No. of Buildings	Percent of Total Buildings
Good	1,124	32%
Deferred Maintenance	1,658	50%
Deteriorated	472	14%
Dilapidated	186	5%
NAV	19	1%
Total Buildings	3,459	100%

Percentages may not add due to rounding.
Source: 2008 3DV Field Survey

b) Serious Code Complaints

Another indicator of unsafe and unhealthy conditions in the Project Area is the numerous code violation complaints that occur on an on-going basis. Code complaint data obtained from the City for the five-year period of 2003 through April 2008 was reviewed to identify those complaints involving serious conditions that would affect the health and safety of building occupants. Complaints that are typically minor in nature or that can be readily corrected, such as parking on lawns, tall/grass and weeds, over height fences and sign violations were not included among the serious complaints.

Serious code complaints fell into five broad categories: *Unsafe Buildings, Other Serious Code Violations, Illegal Occupancy, Inadequate Utilities, and Animals and Vermin*. Within each of these five categories, there are a number of different types of code complaints as summarized in Table 12 on page 37.

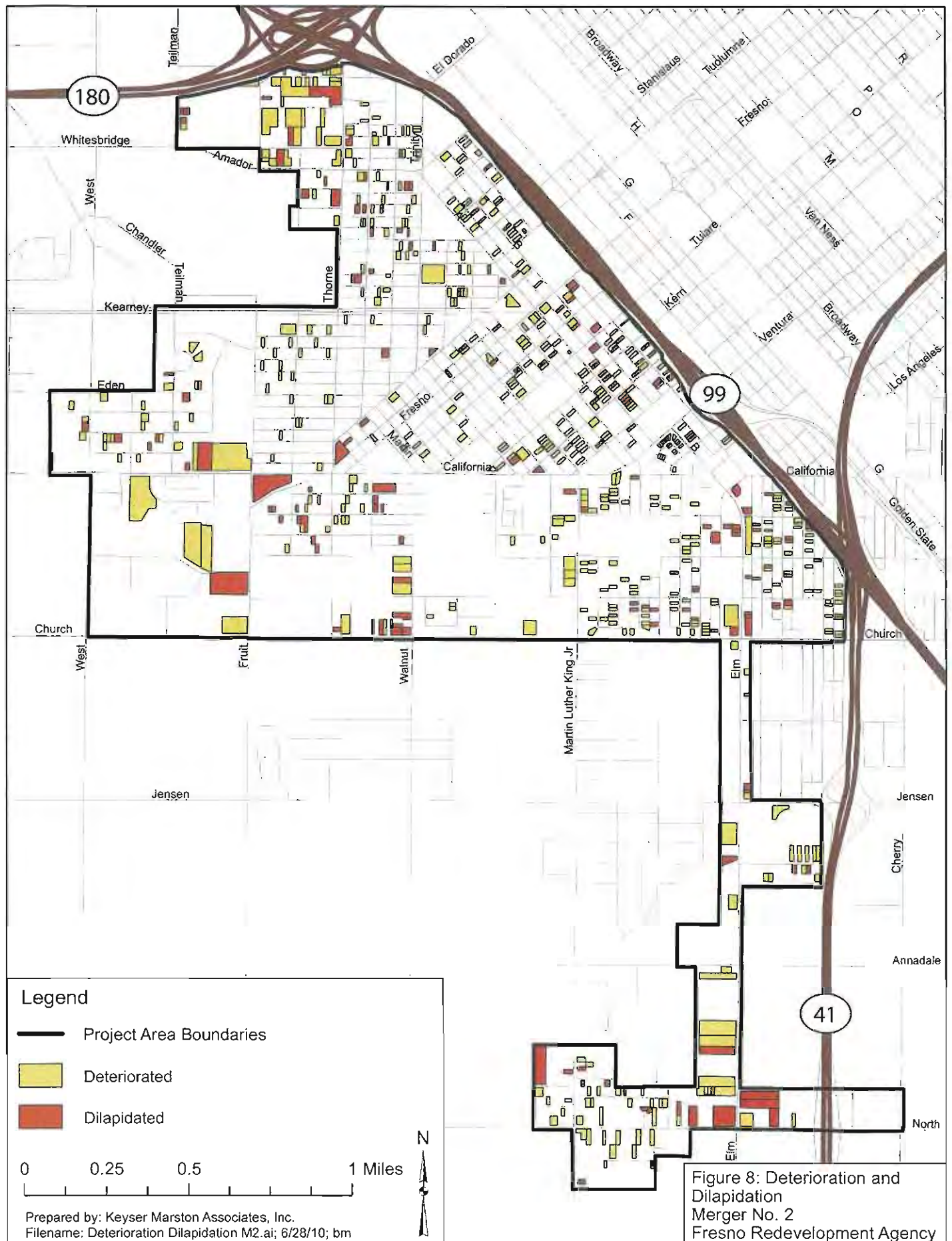


Table 12: Categories for Serious Code Complaints

Category	Abbr.	Examples
Unsafe Buildings	HCOV PNVB CBDB CBOV DEMO HCDD HCDR HCHC HCNO PNFH	Open/Vacant Building Vacant/Blighted Building Dangerous Building Ord. Commercial Building Open/Vacant Demolition Program Dangerous Building - Demo Dangerous Building - Repair Hazardous Conditions Notice & Order for Repair Fire Hazard
Inadequate Utilities	HCSO HCHT HCNU	Sewer Overflow No Heat No Utilities
Illegal Occupancy	HCIO ZCRH OCU	Occupancy Violation RV Inhabited Occupancy Violation
Other Serious Code Violations	HCRP HCCP ZCUS HCSH HCCC ZCIS PNDT PNHE PNRV	Housing Code Repair Construction Without Permits Unapproved Structure Safe Housing Code Compliance Illegal Storage Dead Tree/Fire Res/Demo D Hazardous Easement Obstruction Rubbish/Junk/Misc.
Animals and Vermin	HCII PNDD ZCFA	Insect Infestation Dog Droppings Farm Animals on Property

Source: City of Fresno

The number and frequency of serious complaints suggest that there are many types of code violations that have become persistent problems in the Project Area. Common code complaints that are serious in nature include construction without permits or necessary City approvals, violations of the City's Dangerous Building Ordinance, the illegal occupancy of garages, sheds or other structures that are not intended for occupancy, or persons living in RVs or campers as permanent residences.

A total of 2,107 serious code complaints were recorded between 2002 and April 2008 for the Project Area out of a total of 36,982 serious code complaints Citywide. These data are summarized by category on Table 13. The locations of these code complaints are shown on Figure 9. Overall, despite only representing four percent of the City's population, the Project Area accounts for six percent of the total serious code complaints and ten percent of the code complaints involving unsafe buildings.

Table 13: Serious Code Complaints – 2003 Through April 2008

	Project Area	Balance of the City ¹	Project Area as % of Total
Unsafe Buildings	340	3,324	10%
Inadequate Utilities	182	2,926	6%
Illegal Occupancy	78	2,071	4%
Animals and Vermin	137	2,858	5%
Other Serious Complaints	1,370	25,803	5%
Total Complaints	2,107	36,982	6%

¹Balance of the City excludes the Merger 1 Project Area.
Source: City of Fresno

In addition, when comparing the rate of complaints per 1,000 acres, the number of complaints is disproportionately high and in some cases is more than double the rate of complaints in the balance of the City (see Table 14).

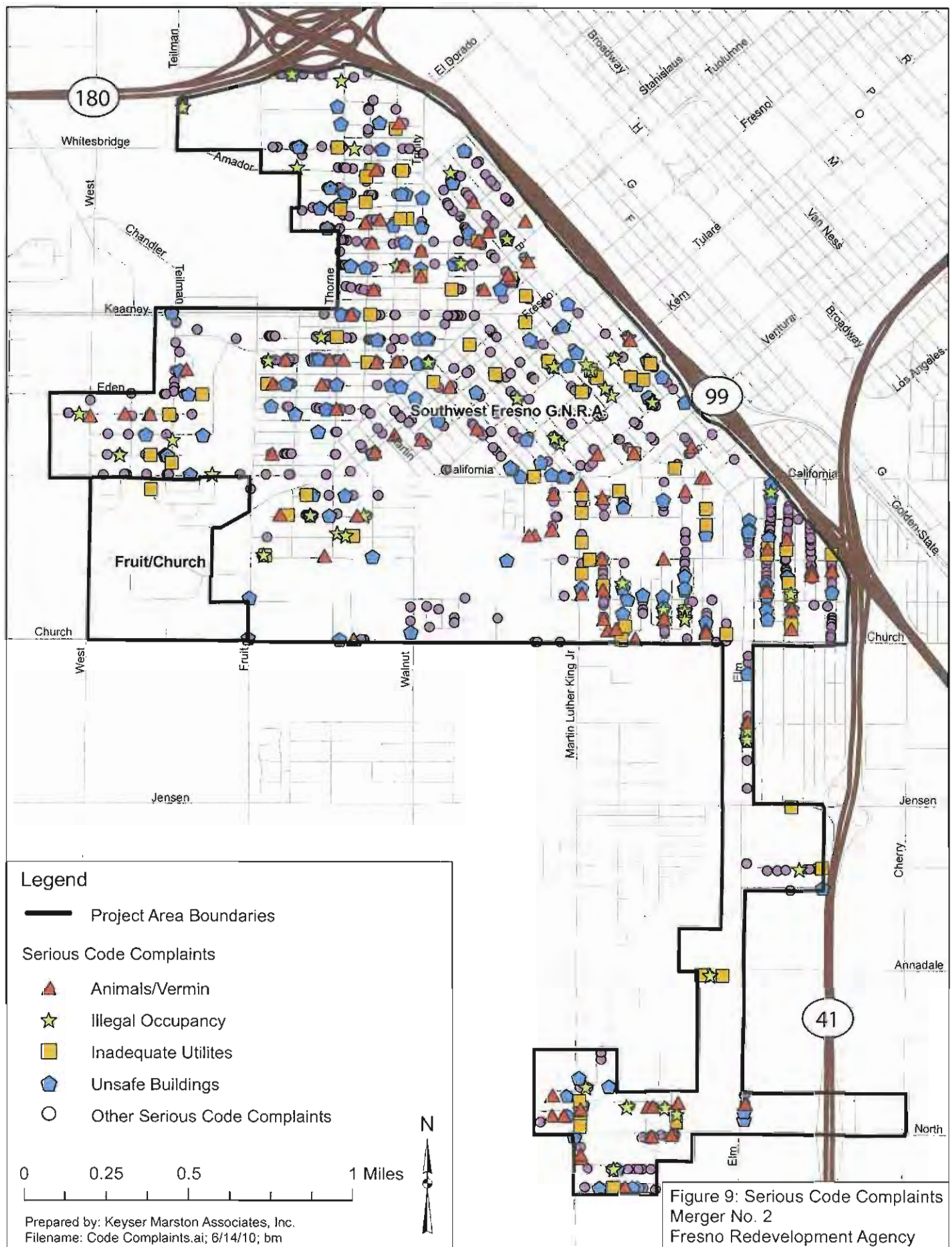
Table 14: Comparison of Code Complaints per 100 Acres

	Project Area	Balance of the City ¹
Unsafe Buildings	17.9	4.8
Inadequate Utilities	9.6	4.2
Illegal Occupancy	4.1	3.0
Animals and Vermin	7.2	4.1
Other Serious Complaints	72.1	36.9
Combined Serious Complaints	110.9	53.0

¹Balance of the City excludes the Merger 1 Project Area.
Source: City of Fresno

2. Conditions That Prevent or Substantially Hinder the Viable Use or Capacity of Buildings or Lots

As described in the CRL, these conditions may be caused by buildings of substandard, defective or obsolete design or construction given the present general plan, zoning, or other development standards.



The field survey identified 123 buildings in this category, including sixty-six buildings of substandard construction, twenty-five obsolete buildings, forty buildings in need of inspection by code enforcement officials, and twenty-two buildings constructed of unreinforced masonry.

Substandard Buildings included:

- Buildings with extensive dry rot
- Unreinforced masonry buildings ("UMB"s) that appeared to lack seismic retrofitting
- Buildings with substandard materials such as corrugated metal panels or plywood used as siding or exterior finishing material inappropriately
- Buildings that were being supported by exterior bracing to prevent collapse
- Buildings identified as unsafe by code enforcement, i.e., marked with a red "x" on the exterior

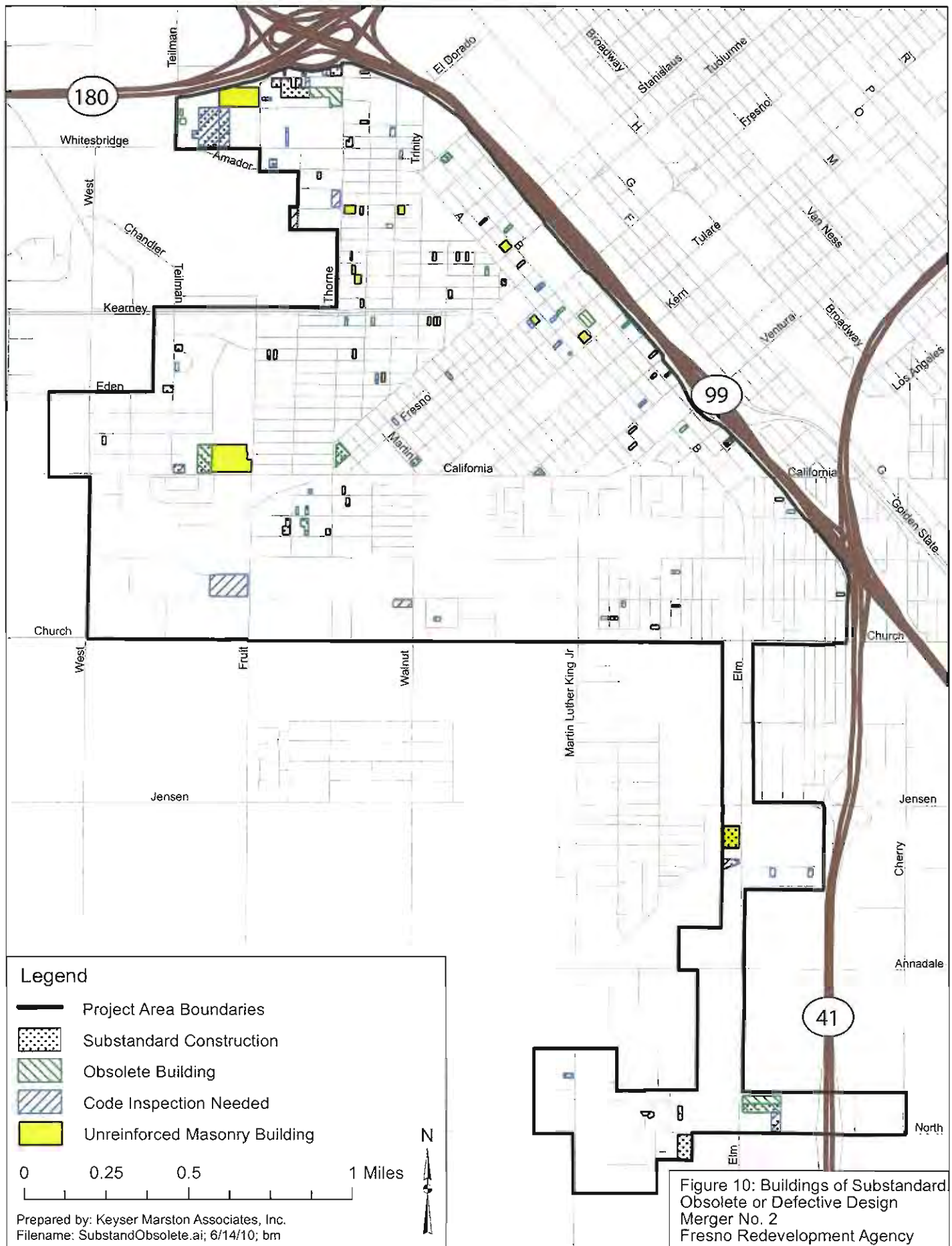
Obsolete Buildings include:

- Un-maintained buildings, such as rusting or deteriorating Quonset huts
- Industrial buildings with rail-oriented loading facilities on the building but no rail access, i.e., the siding railroad tracks had been removed
- Old gas stations of substandard construction

Combined, these conditions affected 123 buildings or three percent of the parcels in the Project Area.

3. Adjacent or Nearby Incompatible Land Uses that Prevent the Development of those Parcels or Other Portions of the Project Area

The historic and current uses in and around the Fruit Church area have a negative impact on surrounding properties and the ability of the private sector to attract business and development to that portion of the Project Area. The Fruit Church area was originally part of Fresno County. Prior to annexation, there were a number of heavy commercial and industrial uses in the area. The area became the location of "undesirable" uses that served the City but remained outside of City limits. In addition to animal processing and rendering, there were automobile wrecking and salvage yards in the area, as well as open burning trash pits, landfills and dumps. Relative to current standards, these uses were lightly regulated as modern environmental health and safety



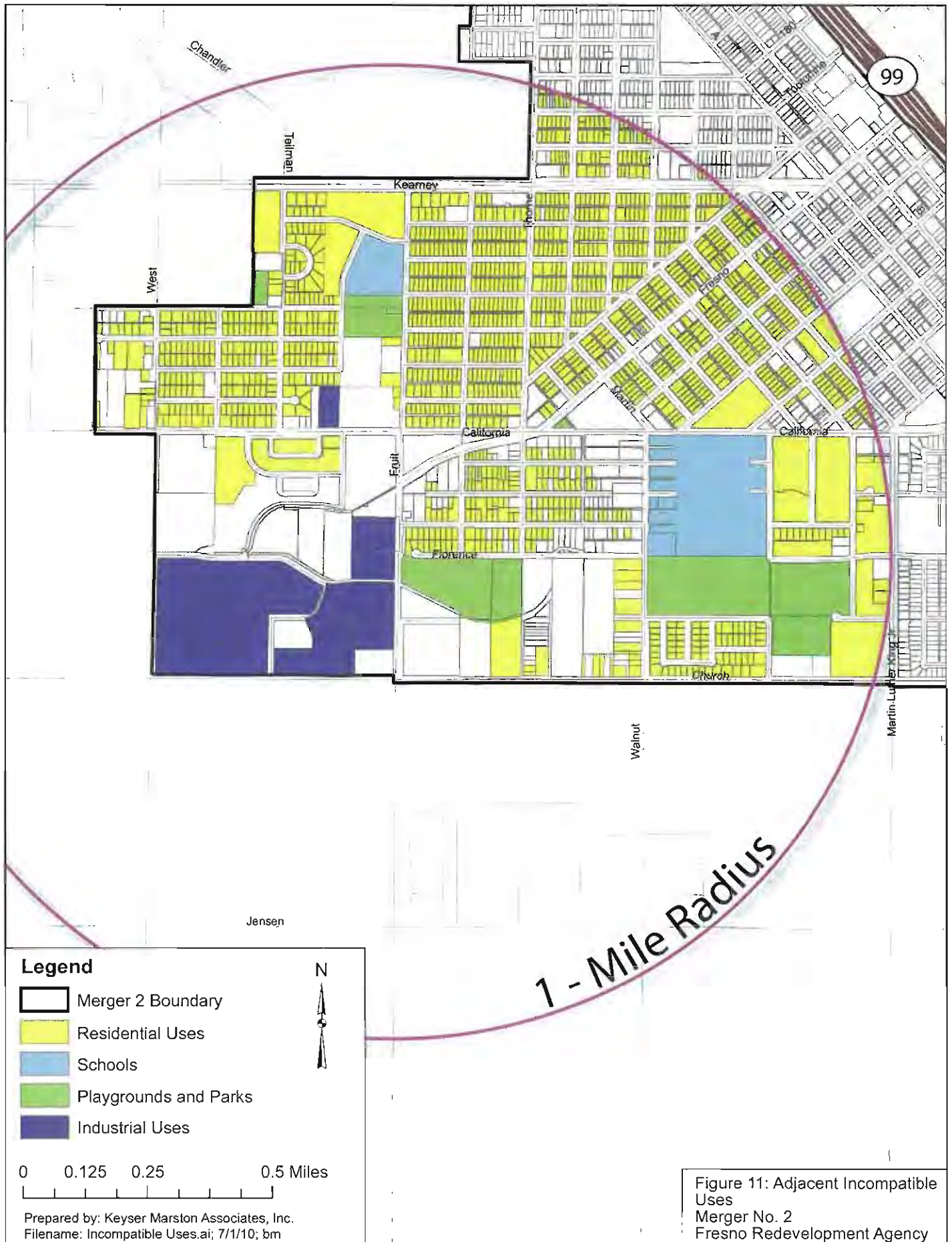
regulations had not yet been promulgated. A significant portion of the Fruit Church area was a former construction debris fill site.

In the 1960s, Fruit Church and the immediate vicinity was a hub of animal processing and related activity. There was a major meat processing facility was in operation at the northwest corner of Fruit Avenue and Church Road. At that time, plans called for the Fruit Church area to be an industrial park oriented towards accommodating heavy industrial uses. However, the extensive remediation required by environmental regulations to make redevelopment of the landfill and dump sites possible was prohibitive. The costs, in conjunction with the potential liabilities discouraged property owners. Even with Agency assistance, redevelopment of much of the Fruit Church area has been infeasible. For example, the Agency acquired and sold property south of Florence Avenue to Zacky Farms (now Foster Farms) for development into a chicken processing facility. But the company has only been able to develop portions of the site due to the prohibitive costs of remediating the portions of the property that were formerly used as a dump. The properties north of the Zacky Farms plant along Florence Avenue remain vacant due to the presence of a former landfill.

Even though the remaining animal processing facilities in the area attempt to reduce the smells and other impacts of their businesses, issues and community concerns remain. For example, residents in the area continue to complain of foul odors emanating from the nearby rendering plant, an excessive numbers of flies in the area, and the dogs that roam the streets following trucks leaking blood from the dead animals that are hauled to the rendering plant. In 2008, it took concerted effort by the community and the City to shut down a plant in the area that processed waste water from milk and cheese production due to numerous solid waste and public nuisance violations and citations at the plan due to odor and overwhelming air-borne chemicals. These noxious smells have triggered numerous complaints by local residents, school children who smell the odors when they are outside playing or going to and from school, and business and property owners who lost customers or couldn't attract businesses due to the odors.

To assess the number of people potentially impacted by the presence of these industrial uses, the population within a one-mile radius at the intersection of Fruit Avenue and Florence Avenue was estimated. Within one mile, there are 8,435 residents. There are also four parks, one playground, a community center, one high school, two middle schools, and two elementary schools within a one-mile radius of the Fruit/Florence Avenues intersection. Between the impacts of the industrial uses and the amount of land that has been contaminated or that is unbuildable due to the presence of hazardous wastes, much of the area is underdeveloped. A significant number of the lots in the area are vacant (see Figure 6 on page 26).

These industrial uses are incompatible with the adjacent and nearby residential and sensitive uses in the Project Area and have prevented the development of parcels in the surrounding area.



D. SIGNIFICANT REMAINING ECONOMIC BLIGHTING CONDITIONS

1. Depreciated or Stagnant Property Values

a) *Single-Family Home Sales Prices*

Single-family home sales prices were analyzed for the period 2002 through the first quarter of 2009. As with housing prices in the Central Valley, California and much of the U.S. in general, sales prices experienced a rapid rise beginning in 2003, peaked in 2006 and descended even more rapidly thereafter. The rapid increase in home prices was driven, in part, by low interest rates and readily available non-conventional mortgages. Throughout the period analyzed, home median sales prices in the Project Area were low relative to the City and the County. As shown in Table 15, even at the peak year of home prices (2006), the median home sales price in the Project Area, at \$175,500 was thirty-eight percent below the Citywide median and forty-one percent below the Countywide median. In addition, while the median home sales price for the City and the County were at or above the medians in 2002, the median sales price in the Project Area remained below the 2002 median in the Project Area as of the end of the first quarter of 2010.

Results are similar when comparing median sales prices on a per-square-foot basis. The median price per square foot in the Project Area is fifty-five percent of the median for the City and fifty-two percent of the County median.

Table 15: Comparison of Median Single-Family Home Sales Prices

	Median Sales Price			Median Sales Price Per Sq. Ft.		
	Project Area	City of Fresno	Fresno County	Project Area	City of Fresno	Fresno County
2002	\$70,000	\$131,000	\$137,000	\$58.26	\$86.01	\$87.75
2003	\$70,000	\$162,500	\$169,000	\$66.53	\$108.57	\$108.59
2004	\$113,000	\$214,000	\$220,000	\$93.46	\$138.42	\$137.87
2005	\$160,000	\$270,000	\$280,000	\$142.22	\$177.45	\$177.25
2006	\$175,000	\$281,500	\$295,000	\$160.53	\$190.62	\$192.99
2007	\$162,500	\$258,000	\$269,000	\$130.91	\$170.95	\$172.28
2008	\$83,000	\$189,000	\$206,000	\$64.43	\$114.29	\$120.70
2009	\$45,500	\$131,000	\$147,500	\$40.96	\$84.72	\$91.21
1st Qtr 2010	\$50,000	\$137,500	\$150,000	\$48.35	\$88.39	\$92.72

Source: Dataquick

The median sales prices have not only declined in absolute terms. The relative median sales price in the Project Area has also declined in comparison to the City and County medians, rising from roughly fifty-percent in 2002 to roughly sixty percent in 2006 but declining to roughly one-third in 2009. As shown in Table 16, in 2002, the Project Area median sales price was fifty-three percent of the City median and fifty-one percent of the County median. At the end of the first quarter of 2009, the Project Area median sales price had declined to thirty-six percent of the City median and thirty-three percent of the County median.

Table 16: Relative Median Single-Family Home Sales Prices

Project Area median relative to:	2002	2006 (Market Peak)	1 st Quarter 2009
Citywide median	53%	62%	36%
Countywide median	51%	59%	33%

Source: Dataquick

In addition to having depreciated home sales prices, the Project Area is among those portions of the City and the County with high levels of foreclosures and at greatest risk for continuing foreclosures. The high level of foreclosures continues to put downward pressure on home prices, as there are more homes for sale in the area at one time.

In planning for its Neighborhood Stabilization Program ("NSP") to assist communities with addressing the high levels of foreclosure and abandonment of homes due to the collapse of the housing bubble, HUD utilized data from the Mortgage Bankers Association National Delinquency Survey and other federal agencies to develop a database and analysis of foreclosure risk down to the census tract level. The estimated number of foreclosures from January 2007 through June 2008, the estimated foreclosure rate, and the number and proportion of mortgages that were considered "high cost" mortgages (based upon mortgages between 2004 and 2006) were compared for the six census tracts that incorporate the Project Area and for the balance of the City. The estimated foreclosure rate and percentage of high cost mortgages in the Project Area were higher than the comparable figures for the balance of the City.

(Continued on the following page)

Table 17: Comparison of Foreclosure and High Cost Loan Data

	Project Area Census Tracts	Balance of the City
Estimated Number of Mortgages ¹	2,440	130,740
Estimated Number of Foreclosures ²	313	11,734
Estimated Foreclosure Rate	13%	9%
Number of Mortgage Loans (w/ Cost) ³	2,194	117,626
Number of High-Cost Mortgage Loans ⁴	1,187	35,714
Percentage of High Cost Loans	54%	23%

¹HUD estimated number of mortgages made between 2004 and 2006.

²HUD estimated number of foreclosure starts over eighteen months from January 2007 through June 2008.

³Number of conventional mortgage loans made between 2004 and 2006 for which loan cost data were available according to the Home Mortgage Disclosure Act.

⁴Number of conventional mortgages where the rate spread is three percentage points above the Treasury security of comparable maturity.

Source: HUD Neighborhood Stabilization Program

These data are consistent with the data prepared by the City for the use of the \$10.969 million in funds it received from HUD for the NSP. As a component of the CDBG Program, the City prepared an amendment/update to its Consolidated Plan (i.e. its five-year strategy) and its 2008-2009 Annual Plan for the use of CDBG funds. While the Project Area is not generally considered one of the areas with the highest concentration of foreclosures, a map prepared by the City illustrating the CDBG eligible areas and bank-owned properties illustrates that the Project Area and vicinity incorporates a significant portion of the bank-owned properties southwest of Highway 99 and south of Highway 180 (see Figure 12).

High levels of foreclosure and significant declines in value are known to have negative impacts on neighborhoods, triggering increases in crime, code violations and neglect. An article in the Fresno Bee described the problems that have been created by vacant or neglected, foreclosed properties, including unsecured buildings that attract squatters, trash and debris piled up on properties, and increased break-ins and burglaries.⁶ The significant declines in value, combined with the reluctance of banks to modify existing mortgages, and economic difficulties faced by homeowners are making a near-term recovery unlikely. Economists have also noted that the significant declines in home prices have also made it more practical for many homeowners to "strategically default" rather than continue to make payments on mortgages that are more than the homes are worth and that are unlikely to recover in value in the near or mid term.⁷ These higher risks of foreclosure only exacerbate the problems of crime and other blighting conditions.

⁶ Brad Banan, "The Domino Effect: Crime, lower home values often follow foreclosures in areas hit hardest by mortgage mess," The Fresno Bee, 10 February 2008.

⁷ Tim Sheehan, "More Valley homeowners abandon mortgages," The Fresno Bee, 8 May 2010.

City Of Fresno Community Development Block Grant Eligible Areas And Bank Owned Properties

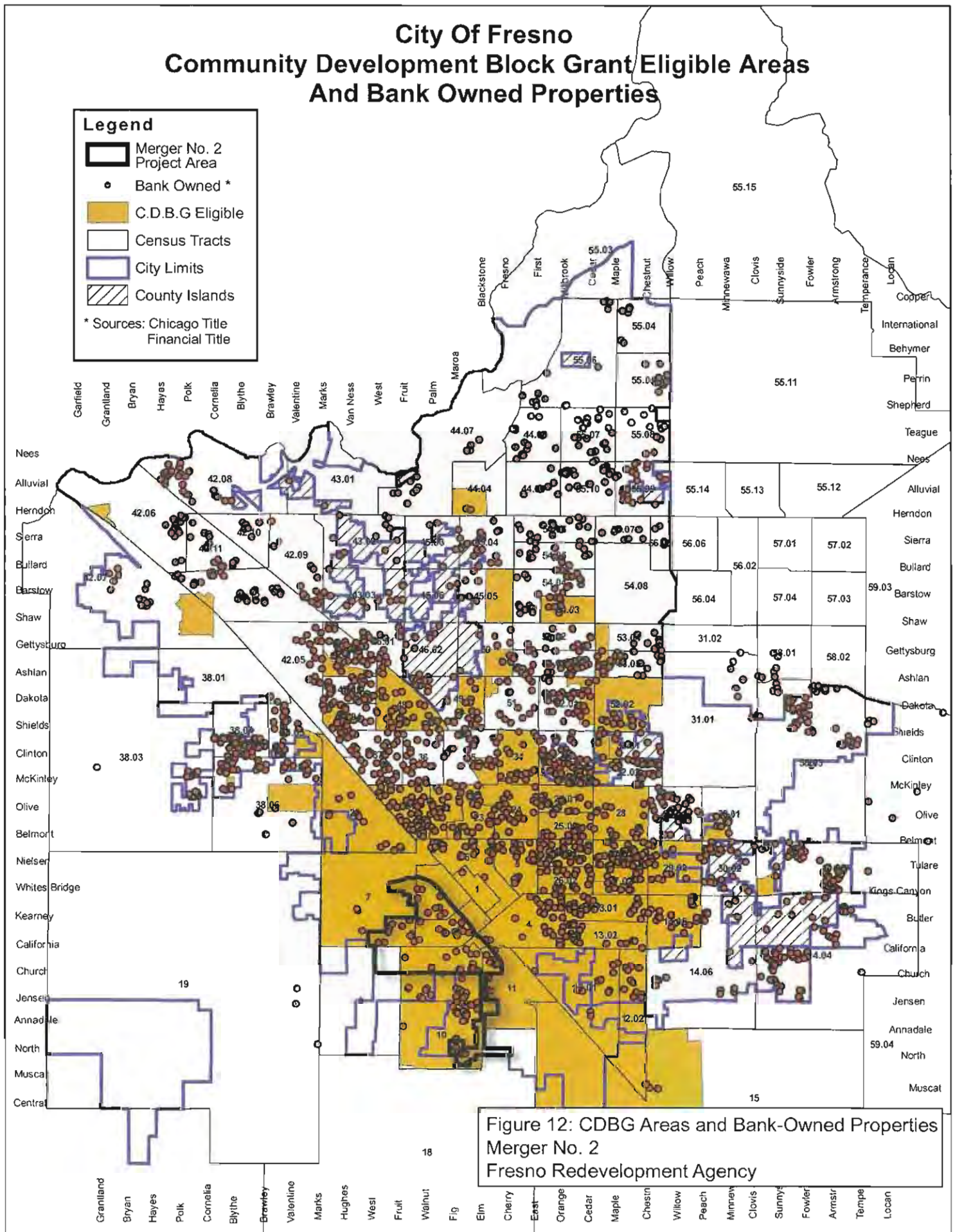


Figure 12: CDBG Areas and Bank-Owned Properties
Merger No. 2
Fresno Redevelopment Agency

The relatively low median sales prices in the Project Area indicate that single-family home property values are depreciated in absolute terms and relative to values in the City and the County overall. In addition, the relatively high foreclosure rate and high percentage of mortgages that are high-cost loans indicates that the Project Area is at continued risk of high levels of foreclosure, decline or stagnation of home values, and the associated higher levels of crime and disinvestment.

2. A Lack of Necessary Commercial Facilities Normally Found in Neighborhoods

The Project Area and Southwest Fresno has suffered from a lack of necessary commercial facilities for a long time. In 1977 when the Edison Community Plan was prepared, it identified a number of issues relating to commercial facilities that continue to affect the Project Area. The issues identified were:

- A shortage of retail, professional, office, and financial services in the community.
- Residents have insufficient choice of commercial services.
- Goods and services are frequently overpriced and excessive credit buying is encouraged.
- Commercial services are inefficiently scattered.
- There are few modern shopping centers in the community.⁸

As described in the FRS/Brookings Study, the lack of necessary and commonplace commercial facilities also indirectly contributes to the crime problems in West Fresno in that there are few safe alternatives to gang activities. There are few safe social and recreational activities for youth, such as movie theaters or malls. In addition, this lack of commercial facilities limits the potential job opportunities in the neighborhood where youth may gain workforce-preparedness skills.⁹

a. Lack of Supermarkets

An analysis of the location and number of supermarkets in the Project Area and vicinity reveals that there is a lack of necessary supermarkets. These findings are consistent with the findings of multiple studies of the availability of supermarkets and the impact of inadequate supermarkets on diet and health in low income communities. For example, the California Center for Public Health Advocacy ("CCPHA") cited limited access to

⁸ Edison Community Plan, page 40.

⁹ FRB Brookings Study, page 30.

healthy foods in low income neighborhoods as one of the causes of childhood obesity.¹⁰ CCPHA completed an analysis of the rates of childhood obesity in California by State Assembly District. The Project Area and most of the City of Fresno are within Assembly District 31. In Assembly District 31, between twenty-six-point-six and thirty-point-three percent of children are overweight.¹¹ A Los Angeles-area study conducted by the Center for Food Justice ("CFFJ") at Occidental College revealed that the most common places to buy food in the low income neighborhoods studied were carryout/fast food restaurants and convenience/liquor/corner stores.

While the small convenience stores tend to provide certain dietary staples at low prices (such as milk and bread) they also tend to offer fewer healthy food choices and more nutritional foods such as fresh meats and vegetables tend to be of lower quality.¹²

In order to assess the number of supermarkets serving the Project Area, supermarkets throughout the City were identified using web-based directories and field survey data. The locations of the supermarkets are shown on Figure 13. The terms "grocery store" and "supermarket" may have a variety of meanings depending upon the context. The definitions used in this analysis are based upon the definitions used by the Food Marketing Institute. For the purpose of this analysis, a "supermarket" was defined as a grocery store with a full line of groceries, meat, produce, and some general merchandise and health and beauty products with at least 25,000 to 40,000 square feet of floor area.¹³ As shown on Figure 13, there are several supermarkets north and east of the Project Area. There is only one supermarket in the Project Area. Typically, a supermarket will serve residents within one to three miles depending upon population density, population clusters, the presence of major barriers (such as freeways) and other factors. For purposes of analysis, supermarkets within a two-mile radius near the center of the Project Area were considered to be those that serve the Project Area. Only one supermarket serves the Project Area: a Food Maxx supermarket within the Kearney Palms Shopping Center on Fresno Street. Within a two-mile radius of the center of the Project Area, there is also a Smart & Final store on H Street in the downtown.

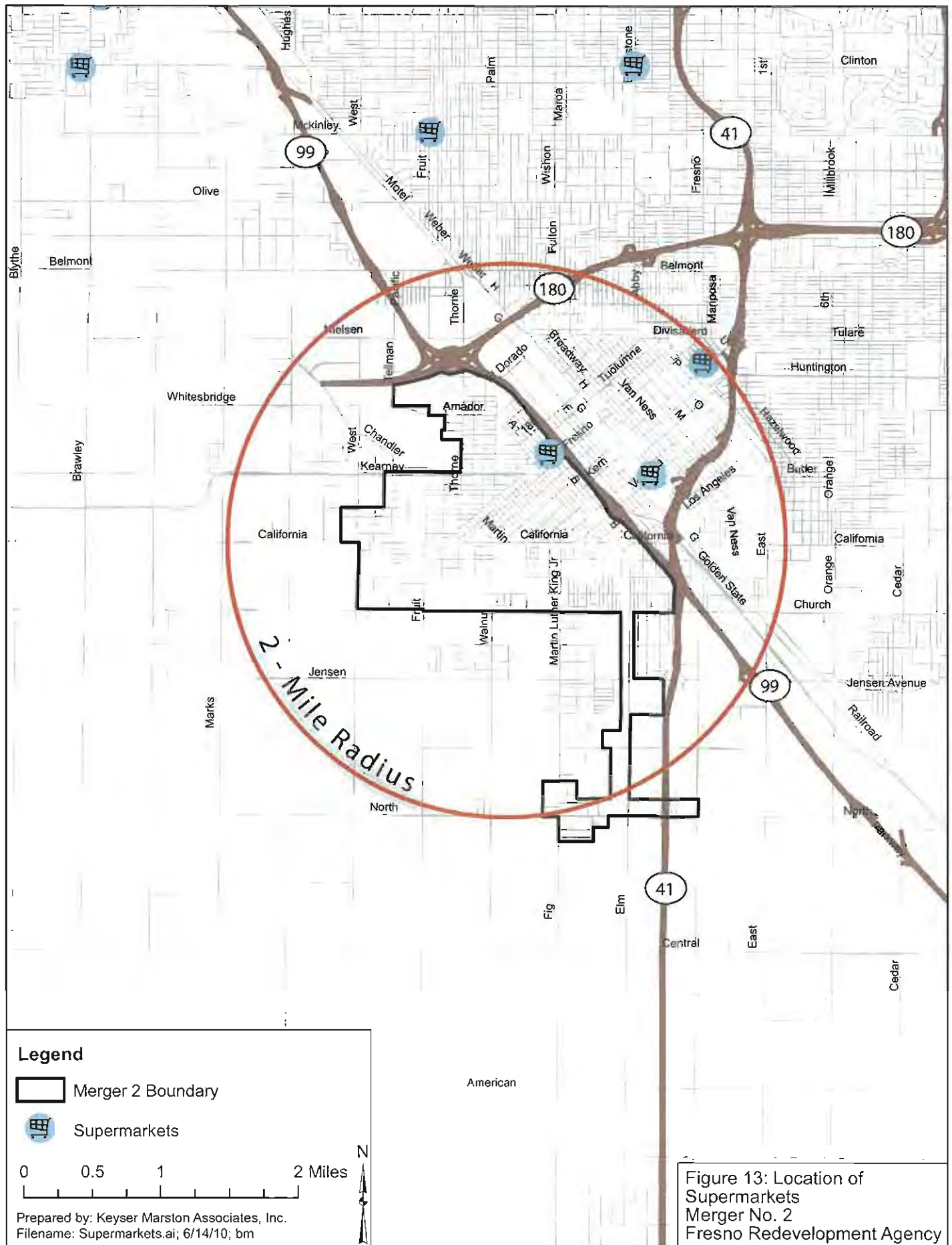
Though the Smart & Final in the downtown is within the two-mile radius, it is separated from the Project Area by a major barrier: Highway 99.

¹⁰ Source: California Center for Public Health Advocacy (CCPHA): Legislative District Policy Brief No. 1, "Overweight and Unfit Children in California Assembly Districts, page 2. Policy Brief downloaded from the CCPHA website: http://www.publichealthadvocacy.org/policy_briefs/study_documents/Policy_Brief1.pdf.

¹¹ CCPHA, page 4, Map A.

¹² Source: DFFJ, Urban and Environmental Policy Institute, Occidental College. "The Persistence of L.A.'s Grocery Gap: The Need for a New Food Policy and Approach to Market Development." May 28, 2002, pages 16-17.

¹³ Three stores that would be considered "mini-club" stores (Smart & Final) were also included as supermarkets for purposes of this analysis because their selections more closely resembles that of a supermarket despite the fact that the floor area of one store was smaller than 25,000 square feet (approximately 16,500 square feet) and typically the range of goods offered at these stores is more limited. Two of the supermarkets (a Save Mart and a Food Maxx) also had estimated building square footages that were under 25,000 square feet but were also included in the analysis. The source of food store definitions is the Food Marketing Institute website at: http://www.fmi.org/facts_figs/?fuseaction=superfact.



Thus, for practical purposes, the Project Area is served by only one supermarket.

Table 18: Comparison of Supermarket Availability

	Project Area	2-Mile Radius*	City of Fresno
Population	16,897	35,780	477,831
No. of supermarkets	1	2	43
Supermarkets per capita	5.9	5.6	9.0
No of persons per supermarket	16,900	17,900	11,100

*Two-mile radius at the intersection of Tulare and California Avenues. Source: Claritas, Switchboard.com

b. Lack of Drug Stores

There are only two pharmacies in the Project Area, which equates to one drug store for every 8,400 people. Within a two-mile radius of the Project Area, there are an additional three pharmacies available, all of which are located in the downtown area and on the east side of Highway 99. These five drug stores represent one drug store for every 7,200 persons. By comparison, there is one drug store for every 4,700 people in the City as a whole.

Table 19: Comparison of Drug Store Availability

	Project Area	2-Mile Radius*	City of Fresno
Population	16,897	35,780	477,831
No. of drug stores	2	5	116
Drug stores per capita	11.8	14.0	21.3
No of persons per drug store	8,400	7,200	4,700

*Two-mile radius at the intersection of Tulare and California Avenues. Source: Claritas, Switchboard.com

c. Lack of Banks and Other Financial Institutions

There are no banks or other financial institutions, such as savings banks or credit unions in the Project Area. While there are thirteen financial institutions within a two-mile radius twelve of these are in the Downtown and the other is north of Highway 180 (see Figure 15). These institutions are not convenient or readily accessible to Project Area residents. A survey of banks and financial institutions in for the City as a whole identified 140 banks, or roughly one bank per 3,400 people. Using this ratio as a guide, the Project Area would be expected to have four or five banks in its vicinity. The FRS/Brookings Study noted that until 2006, West Fresno did not even have an automatic teller machine (ATM).

Table 20: Comparison of Financial Institution Availability

	Project Area	2-Mile Radius*	City of Fresno
Population	16,897	35,780	477,831
No. of financial institutions	2	13	140
Financial institutions per capita	11.8	36.3	29.3
No of persons per financial inst.	8,400	2,800	3,400

*Two-mile radius at the intersection of Tulare and California Avenues. Source: Claritas, Switchboard.com

There are two check-cashing businesses within the Project Area, both of which are on Fresno Street east of A Street and, therefore, very close to Highway 99 and Downtown. Nevertheless, check-cashing businesses are not a substitute for regular financial institutions as they do not offer checking or savings accounts, or other products that allow people to save and invest their money. Furthermore, check-cashing businesses charge fees for every service they offer, whereas financial institutions may offer check-cashing or other services for free to regular customers.

The lack of traditional banks and financial institutions makes it more challenging for residents to build assets, save and invest for the future. Asset building is one of the key elements in community development as it promotes increased participation in the community¹⁴ and well as investment in one's self and family. As described in one of the policy papers published by the Federal Reserve Bank of San Francisco, inadequate access to mainstream financial services such as saving or interest bearing checking accounts hinders the ability of low income households to build assets to withstand economic crises such as a job loss, illness, or divorce.¹⁵

Studies have also shown that access to credit, the ability to invest and the associated increases in wealth encourage investment in human capital by younger generations, increases the productivity of the poor and improves their quality of life.¹⁶

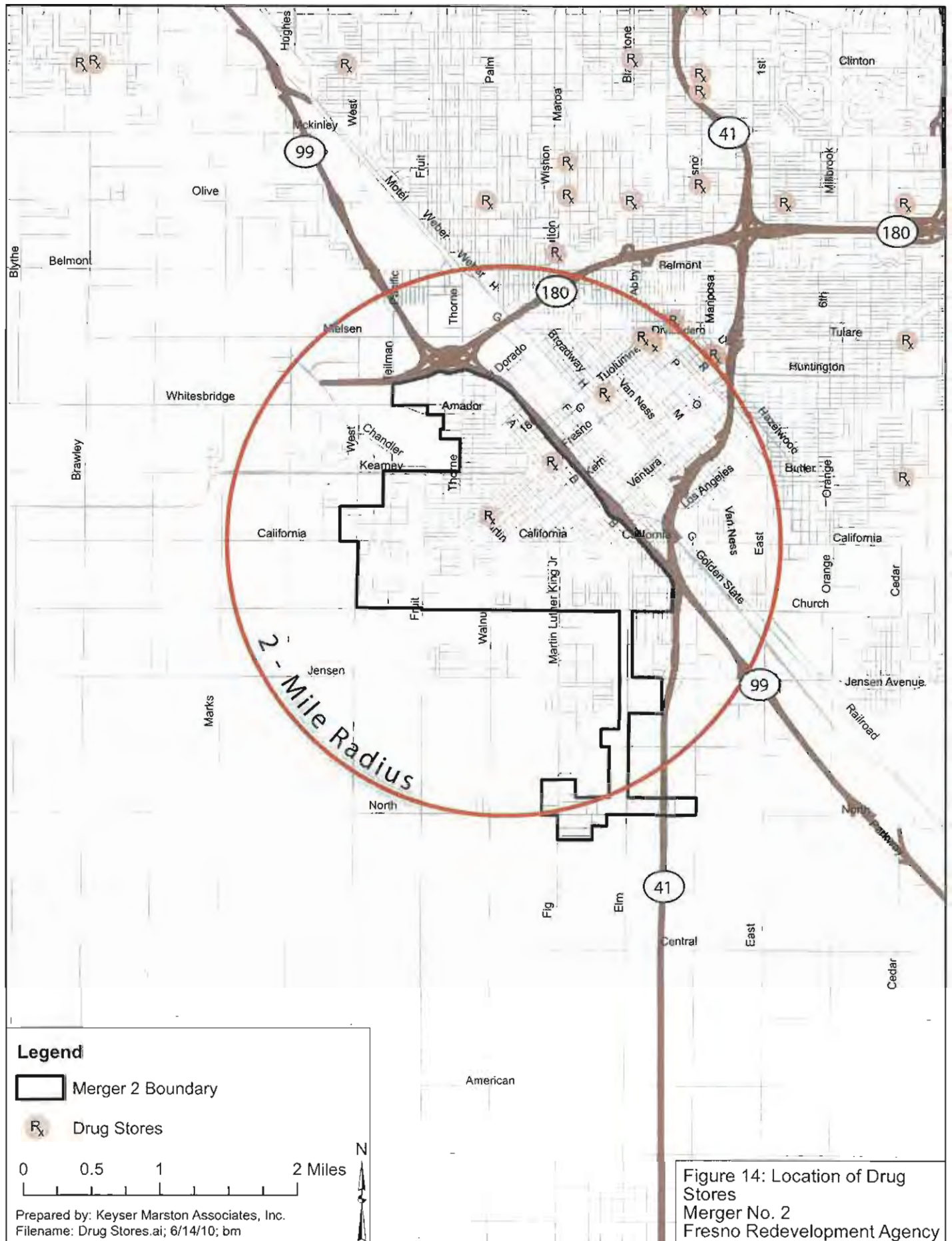
The lack of banking services was also noted in the FRS/Brookings Study as one of the factors that ties into the lack of commercial development and investment in West Fresno.¹⁷

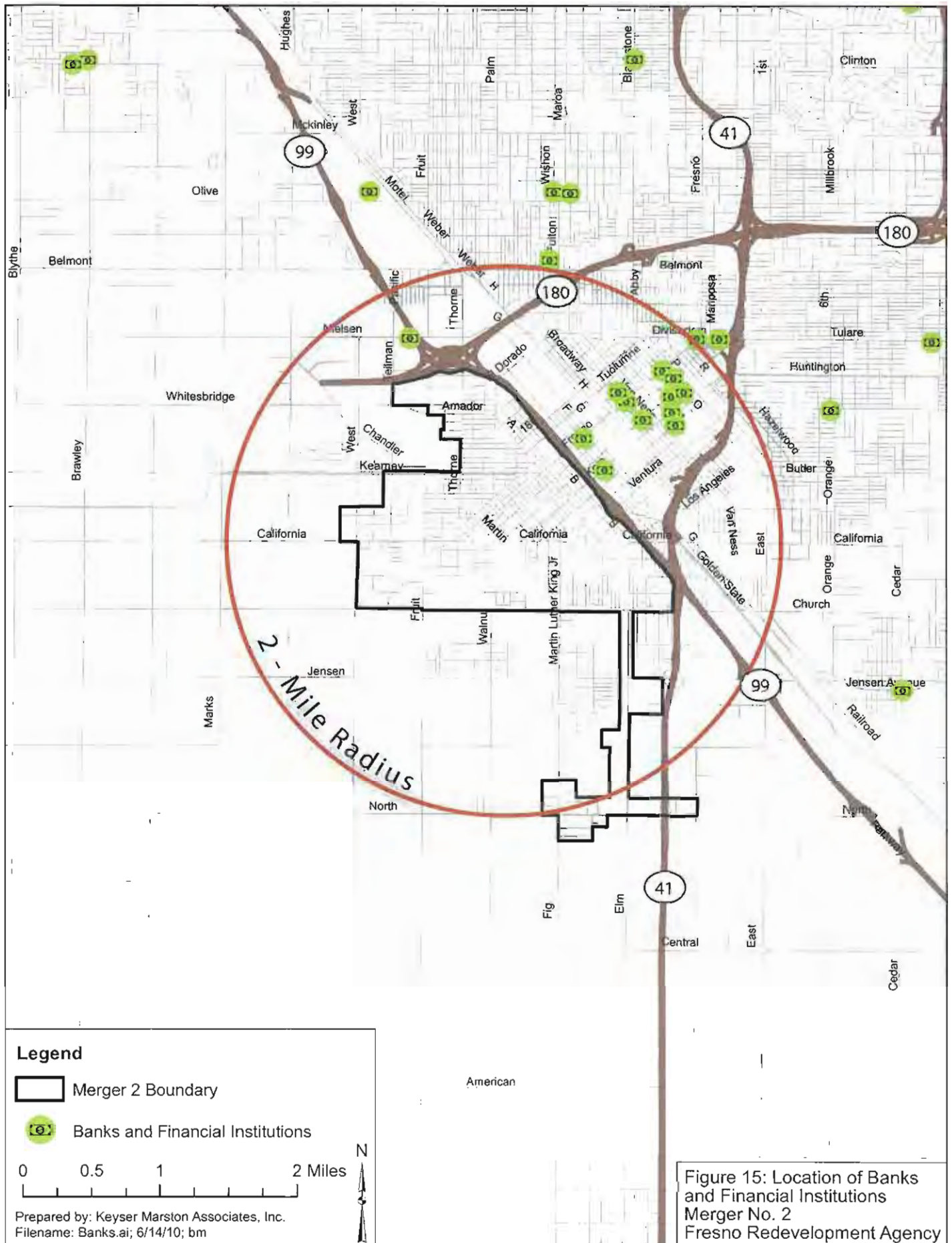
¹⁴ Summarized from published articles on the societal benefits on asset building by Michael Sherraden including "From the Social Welfare State to the Social Investment State" in Issue #128, March/April 2003 and "Building Assets to Fight Poverty" in Issue #110 March/April 2000 of Shelterforce Online by the National Housing Institute

¹⁵ Reid, Carolina. "Savings in the Spotlight: Making a Case for Asset Building Policies and Programs." Federal Reserve Bank of San Francisco. Published in Community Investments, Volume Seventeen Number 2, May 2005, pp. 3-5.

¹⁶ O. Emre Ergunor, "Bank Branch Presence and Access to Credit in Low to Moderate Income Neighborhoods," Working Paper 06-16, Federal Reserve Bank of Cleveland, December 2006.

¹⁷ FRS/Brookings Study, West Fresno Case Study, page 29.





3. Serious Residential Overcrowding That Has Resulted in Serious Public Health or Safety Problems

Based upon the most commonly accepted definition overcrowding used by the U.S. Department of Housing and Urban Development ("HUD"), an overcrowded housing unit is one that has more than one-point-zero persons per room. The HUD definition of room excludes bathrooms, laundry rooms, utility rooms, pantries, and unfinished rooms. A severely overcrowded unit is one that has more than one-point-five person per room.

Based upon 2000 Census data, the eighteen census tracts that overlay the Project Area (see Table 22) have rates of overcrowding that are significantly higher than rates for the City and County. As shown in Table 21, twelve percent of the housing units were overcrowded vs. seven percent for the City and County. Seventeen percent of housing units were severely overcrowded vs. only ten percent for the City and County. Combined, twenty-nine percent of housing units in the Project Area have some form of overcrowding vs. only seventeen percent in the City and the County.

Table 21: Residential Overcrowding

Persons Per Room	<u>Merger 2 Areas*</u>		<u>City of Fresno</u>		<u>Fresno County</u>	
	# of Units	% of Total	# of Units	% of Total	# of Units	% of Total
1.00 or Less (Ideal)	3,722	71%	116,289	83%	209,631	83%
1.01 - 1.50 (Overcrowded)	616	12%	10,140	7%	18,364	7%
1.51 or more (Severely Overcrowded)	905	17%	13,522	10%	24,945	10%
Total All Units	5,243		139,951		252,940	
Percent of Units with Overcrowded Conditions:		29%		17%		17%

Source: US Census Bureau, 2000 Census

Another indicator of overcrowding is population density. As shown in Table 22, while the Project Area as a whole has a population density that is only one percent higher than the Citywide population density, several of the census block groups that include the Project Area have population densities that are much higher. Of the eighteen census block groups, ten have population densities that are at least ten percent higher than the Citywide average. These ten census tracts include 10,587 people, or fifty percent of the population in all eighteen census block groups combined. Seven of the census block groups have population densities that are at least fifty percent higher than the Citywide average. These seven block groups include eighty-one percent of the population.

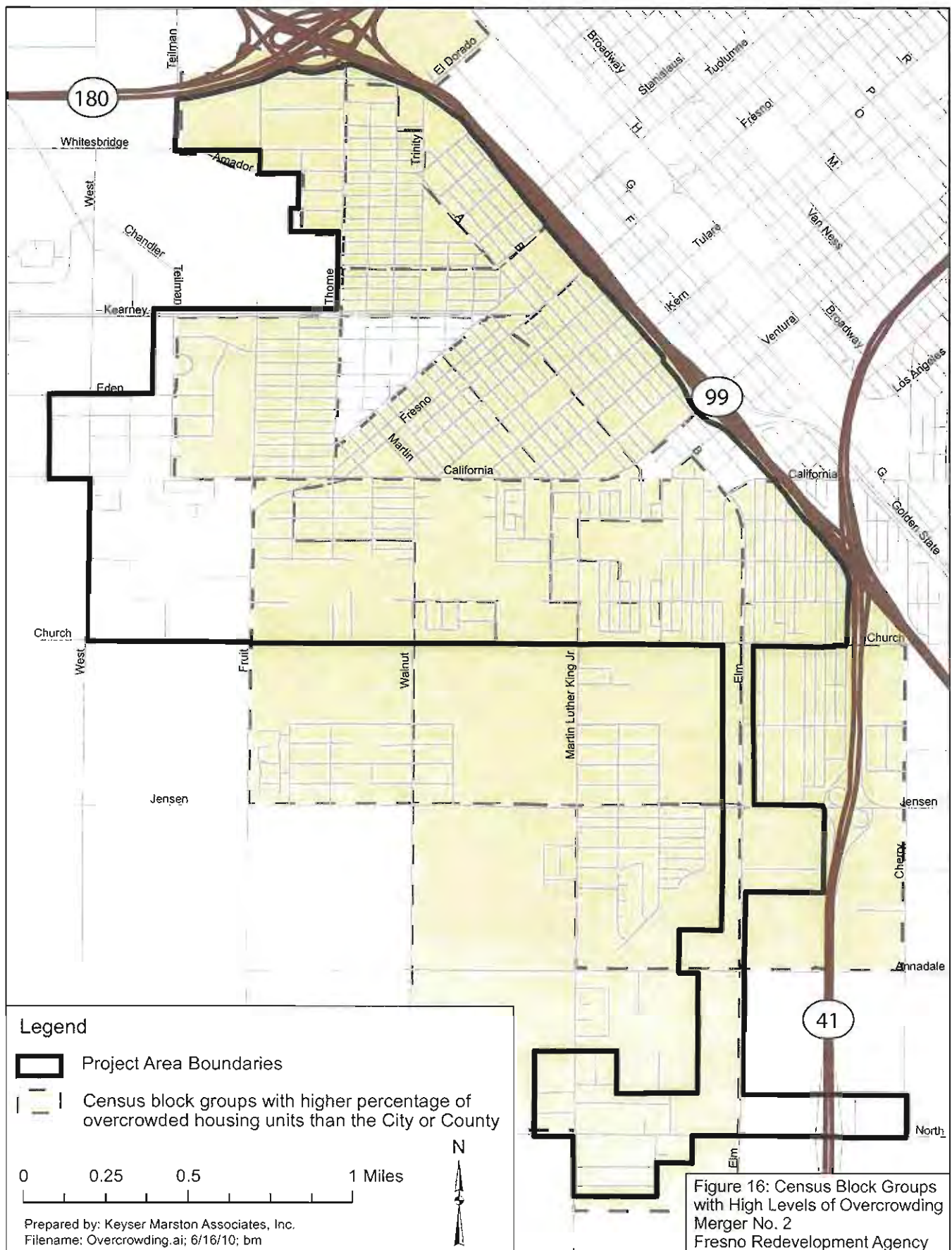


Table 22: Population Density by Census Block Group

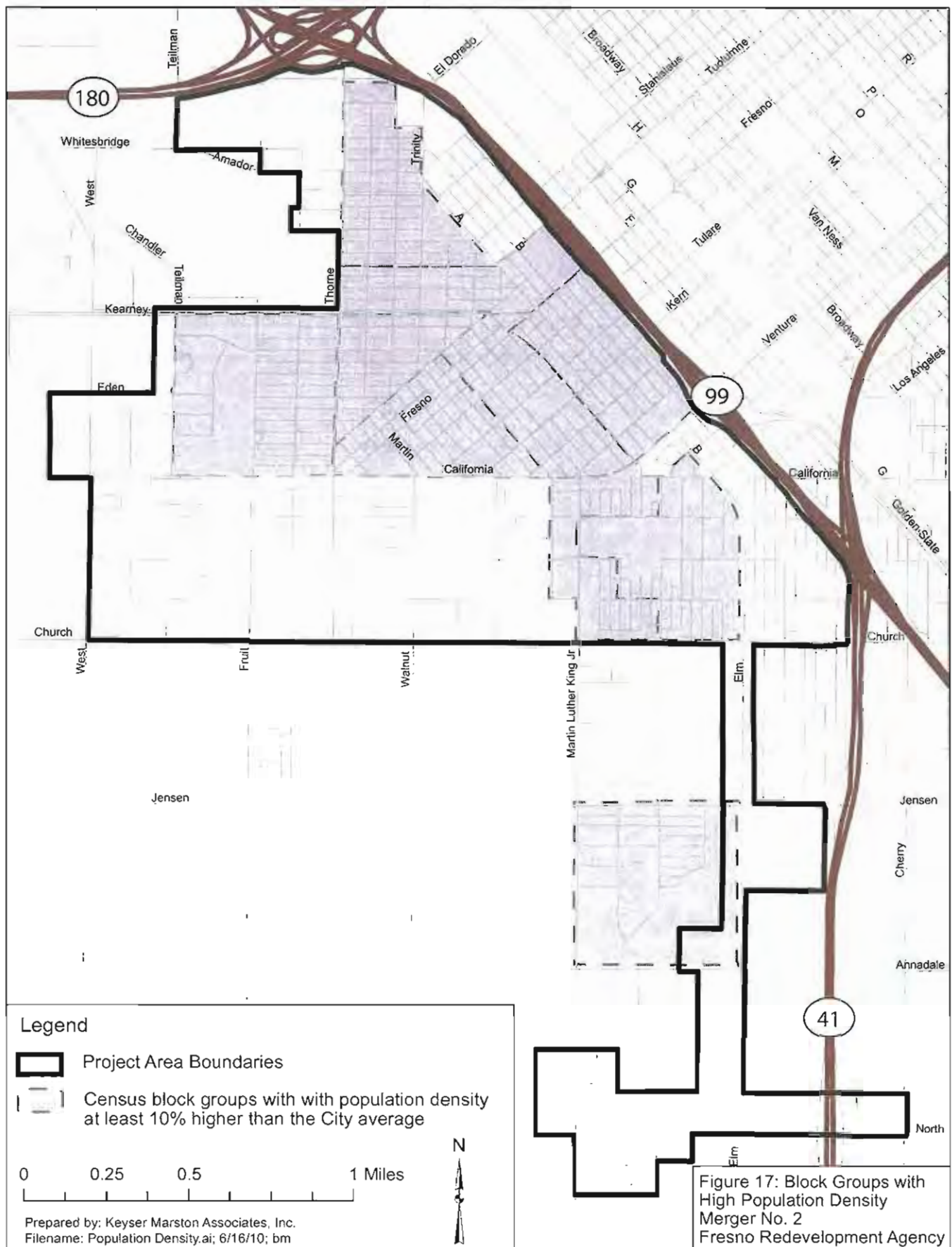
Census Block Group	Land Area (Sq. Mi.)	Population (2000)	Population Density (Persons/Sq. Mi.)	Percent +/- Citywide Average
2.2	0.12	639	5,325	24%
2.3	0.16	1,331	8,319	94%
2.4	0.23	834	3,626	-15%
3.2	0.17	970	5,706	33%
3.3	0.14	1,118	7,986	86%
3.4	0.14	911	6,507	52%
3.5	0.09	627	6,967	63%
7.2	0.20	463	2,315	-46%
7.3	0.25	1,650	6,600	54%
7.4	0.25	904	3,616	-16%
9.1	0.17	1,728	10,165	137%
9.2	0.53	1,429	2,696	-37%
9.3	0.43	648	1,507	-65%
9.4	0.26	1,092	4,200	-2%
9.5	0.11	1,613	14,664	242%
10.1	0.25	1,237	4,948	16%
10.2	0.88	2,623	2,981	-30%
11.3	0.51	1,346	2,639	-38%
				-100%
Project Area	4.89	21,163	4,328	1%
City	110.10	471,479	4,282	

Numbers in bold represent census tracts with population densities that exceed the Citywide average by 10 percent or more.

Source: U.S. Census Bureau

According to the American Public Health Association ("APHA") and the Centers for Disease Control and Prevention ("CDC")¹⁸ residential overcrowding most directly affects physiological and psychological needs of human beings, namely the fundamental physiological need for adequate space for exercise and for children to play, and the fundamental psychological need for: 1) adequate privacy for the individual; 2) opportunities for normal family life; 3) opportunity

¹⁸ According to the *Healthy Housing Reference Manual* published by the Centers for Disease Control and Prevention (CDC), people spend 50 percent or more of every day inside their homes and thus their housing environment constitutes one of the major influences on health and well-being. According to the CDC Manual, the link between housing and health were elucidated more than 60 years ago by the American Public Health Association (APHA) Committee on the Hygiene of Housing (CHH). In 1938, the CHH created the *Basic Principles of Healthful Housing*, which provided guidance regarding the fundamental needs of humans as they relate to housing. These fundamental needs include physiological and psychological needs, protection against disease, protection against injury, protection against fire and electrical shock, and protection against toxic and explosive gases.



for normal community life; 4) facilities for maintenance of cleanliness of the dwelling and the person; and 5) concordance with prevailing social standards of the local community.¹⁹ According to the APHA's Committee on the Hygiene of Housing, repeated studies have shown that lack of space and quiet due to crowding can lead to poor school performance in children.²⁰

Overcrowding may also negatively affect another fundamental need: protection against disease. Adequate living and sleeping space is important in protecting against contagion. An article on poverty in south Fresno describes the link between overcrowded households, transmission of disease and the lack of adequate medical care for south Fresno residents that contribute to the problems of disease transmission. According to the Executive Director of the Sequoia Community Health Foundation, which has six clinics in south Fresno, infections are passed from person to person quickly in crowded homes.²¹ Overcrowding [excessive crowding] in homes has the potential to increase not only communicable disease transmission, but also the stress level of occupants because modern urban individuals spend considerably more time indoors than did their 1940s counterparts when the first housing census was conducted.²²

The stressors associated with overcrowding and housing affordability also contribute to health problems of residents. An article published in the American Journal of Preventative Medicine states:

"Today, housing quality and overcrowding problems are less severe than in the past, but they have not vanished and they have been joined by another significant housing challenge: affordability. A sizable share of the households in these troubled neighborhoods pays more than half of their incomes for rent. Given restricted incomes and the paucity of housing subsidies, these households are living on the edge. Any illness or family disruption that causes them to lose their income stream even temporarily can lead quickly to eviction.... It has been shown that stress brought about by living in crime-ridden areas can undermine health and that the impact gets more serious the longer one is exposed. It is not unreasonable to assume that prolonged stress brought about by recurrent fear of homelessness works the same way."²³

These data indicate that the Project Area has a significant number of overcrowded housing units and that overcrowding is continuing to become a more severe problem. The high levels of overcrowding coupled with the deteriorated condition of many of the housing units as described

¹⁹ The nine fundamental physiological needs are listed on pages 2-1 and the seven fundamental psychological needs for healthy housing are listed on pages 2-3 of the Healthy Housing Manual.

²⁰ *Healthy Housing Manual* (Washington, D.C.: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, 2006), pages 2-3.

²¹ Matt Leedy, "Poverty in Fresno," *The Fresno Bee*, 16 October 2005.

²² *Healthy Housing Manual*, pages 2-5.

²³ G. Thomas Kingsley, MCP, "Housing, Health, and the Neighborhood Context," *American Journal of Preventive Medicine* 2003, Vol. 24, No. 3S, pages 6-7.

herein and shown on Figure 8 and high levels of code complaints (shown on Figure 9), indicate that there are unsafe, unhealthy and overcrowded living conditions throughout the Project Area.

4. A High Crime Rate That Constitutes a Serious Threat to the Public Health and Safety

To assess crime levels in the Project Area, crime statistics were obtained from the Fresno Police Department ("FPD") for the City for the eleven-year period of 1998 through 2008, and for the Project Area from 1998 through 2007. For analysis of the most recent conditions, data for the Southwest Division (which includes the Project Area) was also analyzed and compare to Citywide crime statistics for the period 2005 through 2008.

At the time of the merger, the 1998 Report included an analysis of the per-capita crime rates for the census tracts that overlay the Project Area and the City overall for a one-year period of November 1995 through October 1996. Results indicated that overall, the crime rate per 100 persons was thirty-four percent higher in the Project Area census tracts (twenty-six-point-seventy-six vs. nineteen-point-ninety-nine Citywide).

To assess crime levels in the Project Area from 1998 through 2007, the crime rates per 1,000 persons were calculated for the City and for the Project Area. As shown in Table 23, violent crime rates (homicide, rape, robbery and aggravated assault) per 1,000 persons were considerably higher in the Project Area. With the exception of larceny, property crime rates were also higher, though to a lesser degree.

Table 23: Comparison of Crime Rates (1998 – 2007)

	Project Area	City
Homicide	4.21	0.96
Rape	6.92	3.69
Robbery	59.49	30.24
Aggravated Assault	93.14	48.97
Total Violent Crime	163.76	83.86
Burglary	161.44	103.07
Larceny	343.88	388.69
Motor Vehicle Theft	135.78	129.65
Total Property Crime	641.09	621.40

Source: Fresno Police Department

In addition, crime data for the Southwest Area was compared to crime data for the City as a whole for the period 2005 through 2008. As shown in Table 24, while the Southwest Division

includes only twelve percent of the City's population, it accounts for higher proportions of violent and property crimes. The Southwest Area accounted for one-third of the City's homicides, twenty-two percent of the City's rapes and robberies, twenty-four percent of the City's aggravated assaults from 2005 through 2008.

Table 24: Part I Crime Statistics 2005 - 2008

	City of Fresno	Southwest Area	2005 - 2008 SW Area as % of Total City
Violent Crime Offenses			
Willful Homicide	192	64	33%
Forcible Rape	461	103	22%
Robbery	4,645	1,014	22%
Agg. Assaults	7,949	1,911	24%
	13,247	3,092	23%
Property Crime Offenses			
Burglary	16,606	2,383	14%
Larceny/Theft	57,340	7,635	13%
Motor Vehicle Theft	18,032	2,863	16%
Arson	954	200	21%
	92,932	13,081	14%
Negligent Manslaughter	-	-	
Total Part I Crimes	106,179	16,173	15%
Population (2008)	481,035	58,273	12%

Source: Fresno Police Department website, 4 May 2010.

Southwest Area population estimate from Claritas.

One of the key contributors to the high level of crime in the Project Area is the presence of numerous street gangs in the area. In 2007, the FPD announced a major effort to target and eliminate gangs in southwest Fresno. A map, published as part of the gang eradication effort, identified thirteen specific gang turfs, eight of which were completely within the Project Area, one of which included a portion of the Project Area and four of which were adjacent to the Project Area.²⁴ The map is reproduced as Figure 18. Three gangs in particular (the Dog Pound, Villa Posse and Strother Boys) were identified as comprising "250 of the most violent and dangerous criminals in Fresno involving themselves in crimes such as murder, business and residential robberies, as well as frequent drive by shootings." Referred to as the West Fresno Tactical Team, the FPD effort was formulated after twenty people were shot and wounded in Southwest Fresno within two months in the summer of 2007. By April of 2008,

²⁴ Mike Rhodes, "War on Westside Gangs," *Indybay* (San Francisco Bay Area Independent Median Center) website, 29 August 2007. Retrieved January 16, 2009 at: <http://www.indybay.org/newsitems/2007/08/29/18444759.php>.

police had made almost 800 felony arrests of gang members, and seized about seventy weapons, including twenty-two semiautomatic and automatic rifles and handguns.

Police have also installed video cameras at high crime locations in the City, many of which are in the Project Area. For example, video cameras were installed in 2008 on Fresno Street between B and C Streets and on Jensen Avenue near Elm Avenue (in the Project Area) and Cherry.²⁵ Police described the Fresno Avenue location as being “inundated with violent crime and shootings.”

A Multi-Agency Gang Enforcement Consortium (“MAGEC”) team was formed jointly by the City and Fresno County. The MAGEC team is comprised of officers from the FPD, the Fresno County Sheriff’s Department, the District Attorney’s Office, and the Fresno County Probation Department.

In 2008, the Fresno County Superior Court issued a permanent injunction that established a “Safety Zone” in Southwest Fresno that targeted the Dog Pound Gangsters and which prohibited gang members from congregating or engaging in specific activities such as carrying/utilizing guns or dangerous weapons; using or selling drugs; trespassing; or forcibly recruiting members or preventing members from leaving the gang. The Safety Zone includes an area that extends 100 feet beyond the boundary streets of Jensen Avenue to the north, Elm Avenue to the east, Annadale Avenue to the south, and Martin Luther King, Jr. Boulevard to the west (see Figure 18). This Safety Zone includes the portion of the Project Area along Elm Avenue roughly between Jensen Avenue and Annadale Avenue.

The high crime rates and high levels of gang activity constitute a serious threat to the public safety and welfare.

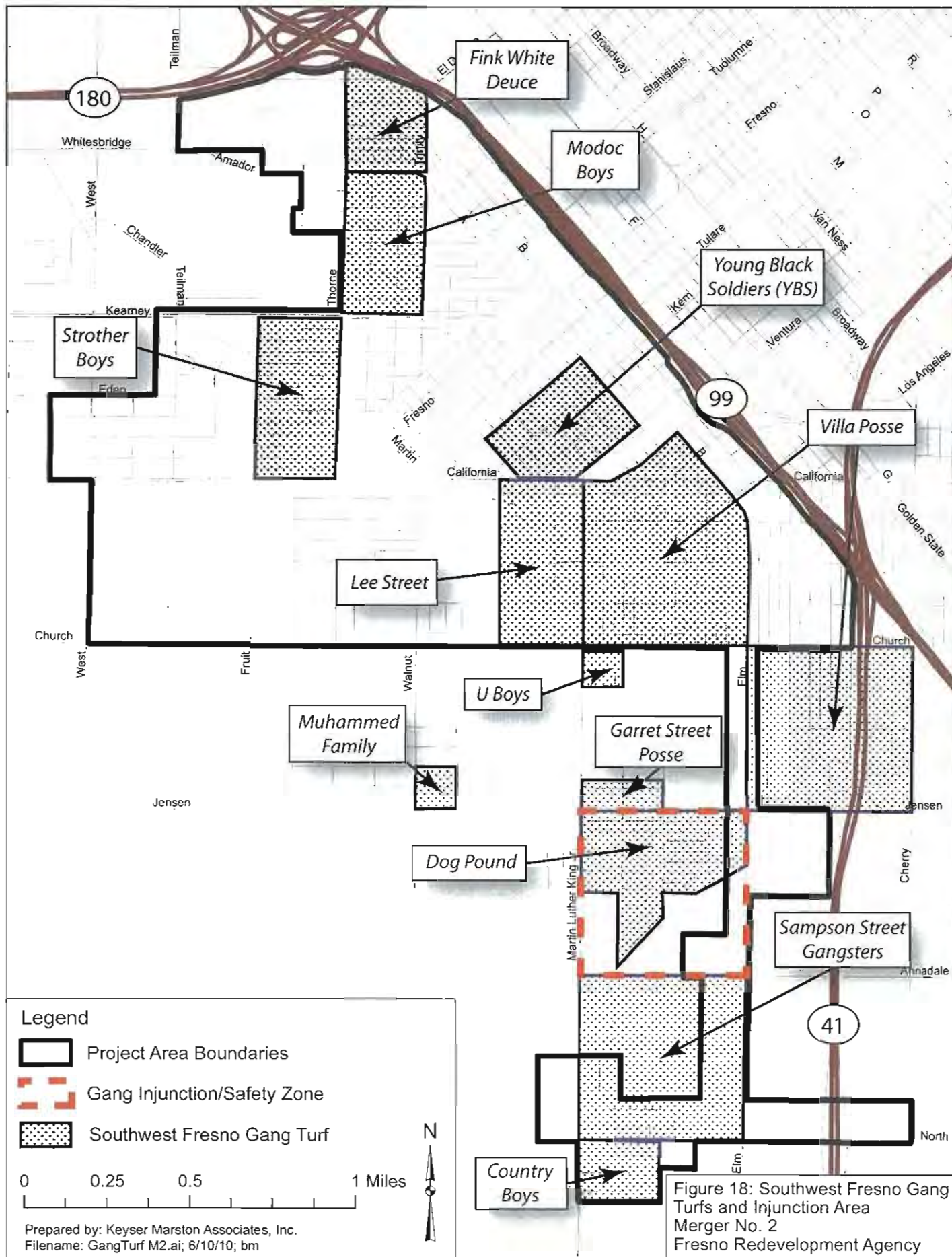
E. SUMMARY OF SIGNIFICANT REMAINING BLIGHTING CONDITIONS

The Project Area suffers from a long history of disinvestment and neglect. This condition is evidenced by the high number of vacant and underutilized parcels (seventeen percent). The Project Area is also affected by a high number of parcels with indicators of disinvestment and neglect such as excessive litter and debris, dumping, graffiti, weeds, abandoned cars, exposed dirt and homeless encampments. These conditions affect thirty-two percent of the parcels in the Project Area.

Despite efforts by both the private sector and the public sector, including Agency efforts, significant blight remains throughout the Project Area. These remaining blighting conditions include:

1. Buildings in which it is unsafe and unhealthy for persons to live or work, as evidenced by the presence of deteriorated and dilapidated buildings (nineteen percent of Project Area

²⁵ Paula Lloyd, “Police set on dismantling gangs,” *The Fresno Bee*, 2 April 2008.



buildings) and a disproportionate share of serious code violations (ten percent of unsafe building complaints and six percent of all serious code complaints vs. four percent of the City's population).

2. Conditions that prevent or substantially hinder the viable use or capacity of buildings or lots, as evidenced by substandard construction, obsolete buildings, and buildings constructed of unreinforced masonry. Combined, these conditions affect three percent of the parcels in the Project Area.
3. Incompatible adjacent uses that have prevented the development of portions of the Project Area. There are an estimated 8,435 residents, six recreational facilities, and five schools within a one-mile radius of the intersection of Fruit Avenue and Florence Avenue that are affected by the presence of animal processing facilities that generate odors and other impacts on the surrounding residents, businesses and properties. These conditions have contributed to the significant number of vacant lots in the area.
4. Depreciated and stagnant property values, as evidenced by low median home sales prices (thirty-six percent of the Citywide median and thirty-three percent of the Countywide median) and high levels of home foreclosures (thirteen percent vs. nine percent in the balance of the City). The Project Area also remains at high risk of continuing foreclosures, as evidenced by relatively low household income levels and a relatively high share of high costs mortgages (fifty-four percent vs. twenty-three percent for the balance of the City).
5. A serious lack of necessary commercial facilities that are normally found in neighborhoods, as evidenced by a serious lack of supermarkets, drug stores and financial institutions. The Project Area has only one supermarket, a Food Maxx located in the Kearney Palms Shopping Center. This shopping center was completed with Agency assistance in 2000. Thus, the Project Area has approximately 16,900 persons per supermarket vs. 11,100 persons per supermarket in the City as a whole. The Project Area has only two drug stores and almost twice as many persons per drug store as the City as a whole. There are no financial institutions within the Project Area.
6. Serious residential overcrowding that has resulted in significant public health and safety problems, as evidenced by the high proportion of overcrowded housing units and a high number of census block groups with high population densities. Twenty-nine percent of housing units in the Project Area have either overcrowding (more than one person per room) or severe overcrowding (more than one-point-five persons per room) vs. only seventeen percent in the City and the County. Seven of the census block groups, which include eighty-one percent of the Project Area population, have population densities that are at least fifty percent high than the Citywide average population density.

7. High crime rates that constitute a serious threat to the public safety and welfare, as evidenced by high rates of serious crime and high levels of gang activity. The crime rates in the Project Area were from twice to almost four times the rates for the City between 1998 and 2006. For example, the homicide rate in the Project Area (four-point-twenty-one per 1,000) was more than four times the rate for the City (zero-point-ninety-six per 1,000). The Southwest Division accounted for a third of the homicides in the City while only accounting for twelve percent of the population from 2005 through 2008.

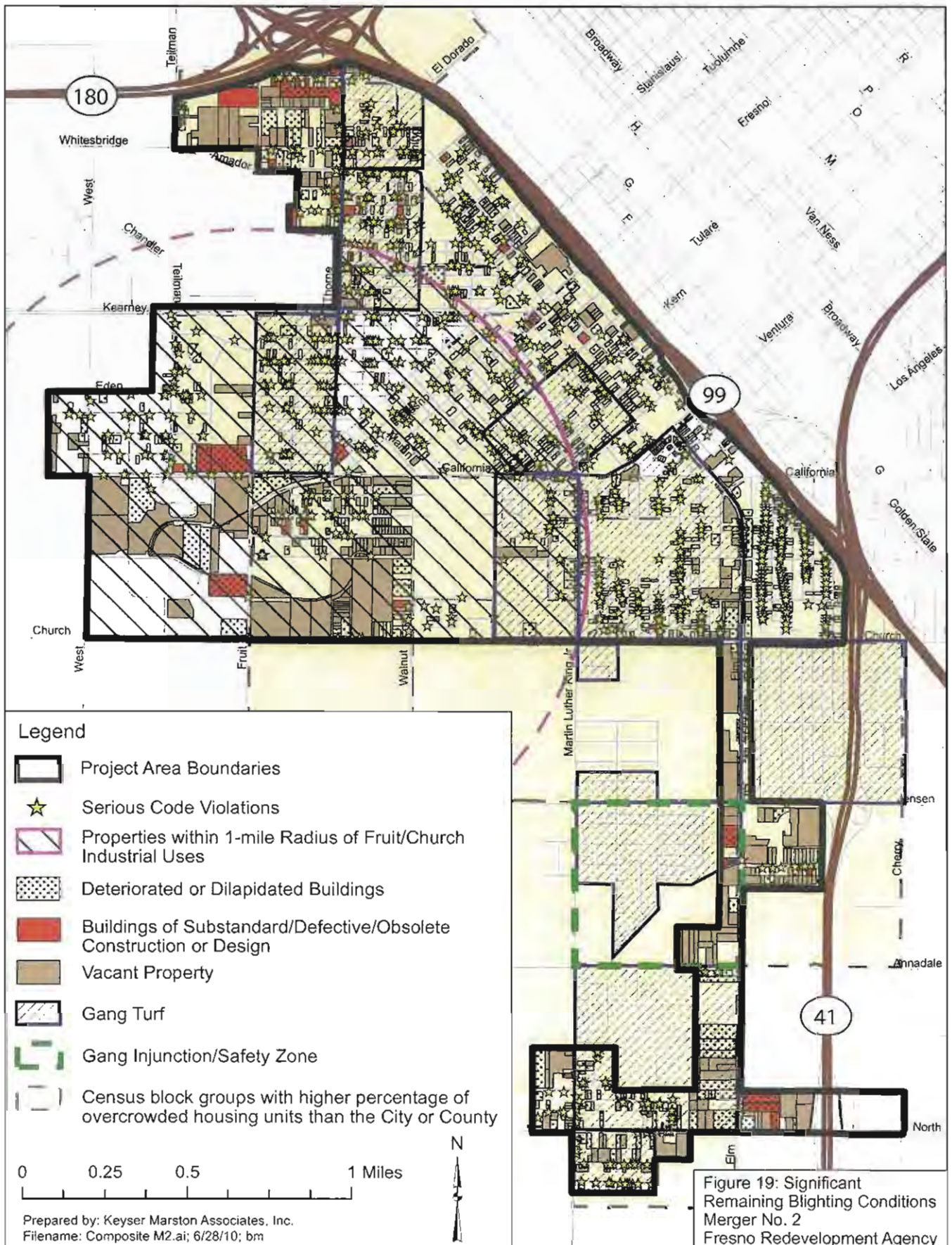
These significant and remaining blighting conditions are substantial and some are prevalent in various parts of the Project Area. These significant remaining blighting conditions are illustrated in Figure 19.

F. PORTIONS OF THE PROJECT AREA THAT ARE NO LONGER BLIGHTED

Despite the remaining prevalence of both physical and economic blighting conditions in much of the Project Area, there has been investment and redevelopment, both by the private sector on its own, and by the public and private sectors working together. The Agency has been involved in a major portion of the public/private efforts and has successfully completed a number of projects. This has resulted in properties that are in sound condition. Many of the commercial properties, such as the Kearney Palms Shopping Center, and the properties that house community-oriented services, such as the Sequoia Community Health facilities and the Fresno County EOC Youth Center, provide essential goods and services to the residents in the Project Area. There have been several housing projects, including new construction and rehabilitation of single-family units and apartments that provide safe and decent housing. The properties that the Agency believes to be not blighted or no longer blighted include the following:

1. Bigby Villa 180-unit apartment complex
2. Casa San Miguel 44-unit housing development
3. Fresno County EOC Youth Center
4. Kearney Palms Shopping Center (excluding the Agency-owned parking lot)
5. Martin Luther King Square apartments
6. Westgate Garden apartments
7. Sierra Point
8. Summer Hill Place
9. Lincoln Preschool
10. Yosemite Village residential rehab and new construction
11. Church at 1422 West California Avenue
12. Church at 1825 South Delno Avenue

During the field survey and analysis of conditions in the Project Area, there were many residences that were identified as being in "good" condition. However, these residences are scattered throughout the Project Area amongst properties that were deteriorated or dilapidated, or that had other conditions that contribute to the blighting conditions prevalent in the area.



Because these properties are scattered throughout the Project Area, and the fact that there are some blighting conditions, such as the high crime rates and residential overcrowding that affect the area as a whole and not just specific properties, these properties are within areas that are considered blighted even though they may be considered to be in good condition physically at the present time. Thus, there are no residential neighborhoods that have been identified and not blighted per se.

G. PORTIONS OF THE PROJECT AREA THAT ARE BLIGHTED

As described herein, there are blighting conditions that exist in the Project Area that are pervasive and that persist on an area-wide basis. In particular, the problems and impacts to the Project Area due to the lack of necessary commercial facilities, the high crime rates and residential overcrowding affect the Project as a whole and not merely specific properties within the Project Area. For example, the high crime rates and high levels of gang activity affect entire neighborhoods. The properties in the residential neighborhoods exhibit a mix of physical conditions ranging from properties in good condition to deteriorated and dilapidated properties intermixed with one another. As a result of these two conditions, i.e., the prevalence of certain conditions and the intermixing of physical conditions, there are no portions of the Project Area that do not exhibit blighting conditions on a neighborhood-wide basis even though there are specific properties that may be in good condition.

To determine if there were areas or neighborhoods that could be identified as no longer blighted, the information and analyses completed herein were used as follows:

- The areas affected by pervasive and area-wide blighting conditions were identified on a map of the Project Area. In this case, three area-wide indicators were mapped:
 - To identify overcrowded neighborhoods, the portions of the Project Area within:
1) the census block groups where the percentage of housing units that were overcrowded exceeded the Citywide average; and 2) the census block groups where household densities exceeded the Citywide average by at least ten percent were mapped.
 - To identify neighborhoods most affected by high crime rates, the portions of the Project Area within identified gang territories were mapped.
 - To identify portions of the Project Area when incompatible adjacent uses persist, a one-mile radius around the intersection of Fruit Avenue and Church Road was drawn and the heavy industrial and sensitive uses (residences and schools) identified.
- Furthermore, the numerous vacant lots, vacant buildings, deteriorated and dilapidated buildings and serious code complaints were mapped.

Results of these analyses indicate that there were no portions of the Project Area that are not blighted. There are specific properties within the blighted Project Area that may be considered no longer blighted (shown on Figure 20). However, these properties are isolated and surrounded by blighted areas.

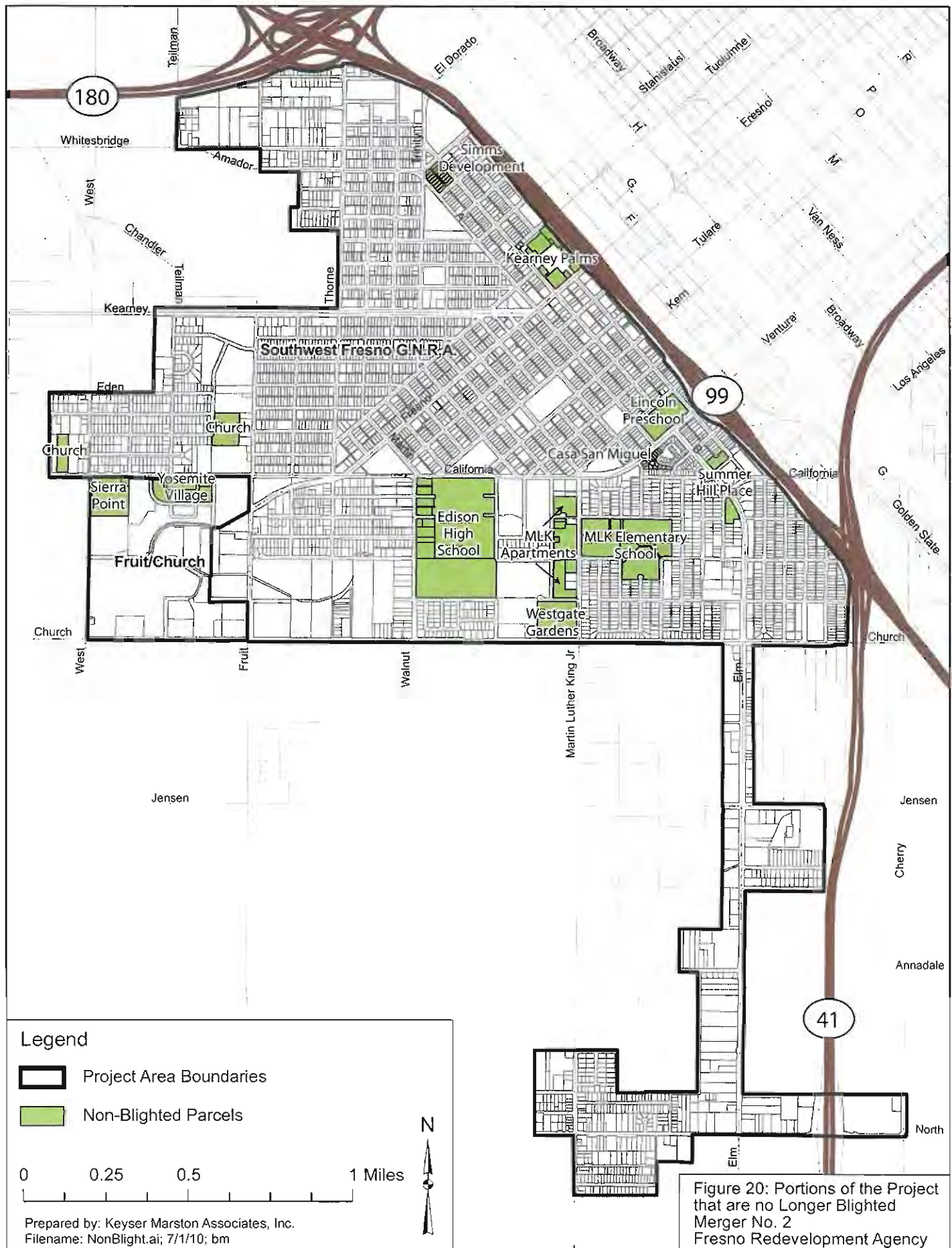


Figure 20: Portions of the Project that are no Longer Blighted
 Merger No. 2
 Fresno Redevelopment Agency

V. AGENCY PROJECTS AND PROGRAMS AND HOW THESE PROJECTS AND PROGRAMS WILL ALLEVIATE BLIGHTING CONDITIONS

A. AGENCY PROJECTS AND PROGRAMS

The Agency has and will continue to play a key role in the alleviation of blighting conditions in the Project Area. The Agency's role is to encourage new development, aid existing businesses, work with other governmental agencies to alleviate blight, upgrade the physical environment, and remove major impediments to development and blight alleviation that the private sector has not been able to remove on its own. The following program of activities has been and will continue to be implemented on a Project Area-wide basis. Specific projects within these programs will be determined based upon priorities established through Agency planning and budgeting and as funds become available.

1. Public Improvements

The Agency's public improvement program is intended to upgrade aging public infrastructure systems and implement streetscape and beautification projects. Such programs and projects include:

- Street improvements, including repair, construction and re-construction of curbs, gutters, sidewalks, street paving, landscaping and irrigation systems, traffic improvements (such as turning lanes, street widening, and street medians), street and alley abandonment, and construction of street extensions.
- Sewer, water, and storm drain system improvements.
- Traffic signal and safety lighting improvements associated with Redevelopment Plan implementation.
- Utility undergrounding, installation and relocation.
- Parking lots and parking structure improvements to support implementation of the Redevelopment Plan.
- Open space, recreation and park improvements.
- Coordination, planning and assistance on public building improvements related to the construction, planning and design, and upgrading of new or existing improvements. Such activities would generally include site work, building construction, parking improvements and landscaping.

2. Historic Preservation

This program provides incentives for the restoration, rehabilitation, adaptive re-use, and/or relocation of historically and architecturally significant structures and properties to ensure orderly and compatible development while maintaining their continued viability as a cultural resource to the community. This may involve rehabilitation loans and grants or other forms of Agency assistance.

3. Land Assembly

The intent of the land assembly program is to create sites large enough for modern development to contemporary standards, create expansion opportunities for existing businesses, create opportunities for consolidation and/or expansion of governmental facilities, and create opportunities for the development of mixed-use/residential projects where appropriate. The Agency may acquire properties, including vacant and improved properties, by negotiated purchase, eminent domain (where allowed), or by other methods allowed and as appropriate for land assembly. Land acquisition is not anticipated in circumstances where the property owners are able to participate in the redevelopment process. The Agency will provide relocation assistance in accordance with the law for displaced businesses. The land assembly program may also include site clearance and preparation. Underutilized streets and alleys may also be vacated to assemble sites for redevelopment.

4. Business Revitalization and Attraction

The Agency will provide incentives to encourage businesses to remain in the Project Area, to expand from current facilities, or to encourage new business establishments to locate within the Project Area. Incentives could include development fee reductions, installation of support services, marketing, and financial assistance to for start-up businesses. The program also includes the Agency's storefront improvement program and could include a commercial rehabilitation loan program, which encourages property owners, and businesses to renovate existing buildings rehabilitate exterior building facades.

5. Discretionary Programs

When funding is available, the Agency will assist other efforts that will contribute to the alleviation of blighting conditions in the Project Area such as owner participation, business expansion assistance, revitalization, business attraction, and marketing to the extent permitted by law.

6. Housing Programs

The Agency has two primary housing programs to serve the goals and policies of the Redevelopment Plan. These programs are: 1) the Community Housing Partnership Program

with the Housing Authorities of the City and Counties of Fresno, which focuses on minor and major rehabilitation of owner occupied housing, the construction of new infill ownership housing, and the acquisition and major rehabilitation of boarded up and distressed single-family homes; and 2) the assemblage of real property assets for the development of housing, and the provision of gap financing for the new construction of housing and the rehabilitation of existing single-family and multiple-family housing.

B. HOW THE PROJECTS AND PROGRAMS WILL ELIMINATE REMAINING BLIGHT

1. Public Improvements

The primary focus of the Agency's efforts to support the rehabilitation of existing and installation of new public improvements will be to help offset the cost or to install such improvements where the costs exceed cost levels that would normally be borne by the private sector. The construction of such public improvements will support investments in the private sector in the reuse of vacant, deteriorated, obsolete and unsafe buildings, the effective utilization of vacant lots, and the rehabilitation of existing and construction of new housing to alleviate overcrowding in the Project Area. Such investments, in turn, will support and increase property values and create jobs, which will in turn, reduce crime and encourage the development of supermarkets and other essential commercial services for the community.

2. Historic Preservation

The historic preservation program will enable the Agency to encourage the effective reuse of existing buildings and the preservation of the City's historic architectural resources. The program will help alleviate the problem of vacant and/or abandoned buildings, especially those that may become unsafe due to deterioration, structural failure or vandalism.

3. Land Assembly

The land assembly program will enable the Agency to acquire and consolidate parcels, especially vacant and underutilized buildings and lots for development. Rehabilitation of existing buildings and the development of new commercial and residential uses will help reduce the number of unsafe and unhealthy buildings, the number of obsolete and substandard buildings, and the number of vacant lots. Such rehabilitation and new development will increase property values, support higher lease rates, and reduce the number of vacant and abandoned buildings in the Project Area. It will also provide locations for new commercial businesses to provide goods and services to the community and create opportunities for the rehabilitation of existing and development of new housing at all income levels, including housing affordable to persons and families of low and moderate incomes.

4. Business Revitalization and Attraction

Supporting the expansion of existing businesses and the attraction of new businesses will encourage the revitalization of existing buildings, and development of new facilities to create jobs, increase property values, and remove or rehabilitate unsafe buildings (such as unreinforced masonry, obsolete and abandoned buildings) and develop new buildings on vacant lots. Such development will increase property values and lease rates, and encourage the development of necessary commercial facilities to serve residents and businesses.

5. Discretionary Programs

From time to time, as opportunities arise for the Agency to participate in discretionary programs that will support the goals of the Redevelopment Plan, the Agency will be able to target programs and funds for alleviating blight through supporting existing businesses and recruiting new businesses in the Project Area. Discretionary programs will also allow the Agency to assist in the development of new facilities and the revitalization of existing properties. These efforts will support the creation of jobs and diversification of the local economy to reduce crime and support the installation of public improvements and the reuse of existing buildings properties.

6. Housing Programs

The housing programs allow the Agency, in collaboration with the Community Housing Partnership Program with the Housing Authorities of the City and Counties of Fresno to provide funds for the acquisition of blighted properties in addition to the rehabilitation and preservation of existing housing units, and the production of new low and moderate income housing. The Agency works cooperatively with property owners and developers to provide opportunities to remove blight and increase the number of affordable housing units in the Project Area.

(Continued on the following page)

Table 25: Blighting Conditions and the Projects and Programs to Alleviate Blight

Blighting Condition	Agency Programs					
	Public Improve-ments	Historic Preservation	Land Assembly	Business Revitalization and Attraction	Discretionary Programs	Housing Programs
Buildings in which it is unsafe or unhealthy for persons to live or work.		X	X	X	X	X
Conditions that prevent or substantially hinder the viable use or capacity of buildings or lots... given the present general plan, zoning, or other development standards.	X	X	X	X	X	X
Depreciated or stagnant property values.	X	X	X	X	X	X
A serious lack of necessary commercial facilities that are normally found in neighborhoods.	X	X	X	X	X	
Serious residential overcrowding		X	X		X	X
A high crime rate	X			X	X	

C. WHY THE PROJECTS AND PROGRAMS CANNOT BE COMPLETED WITHOUT EXTENDING THE TIME LIMITS ON THE EFFECTIVENESS OF THE PLAN AND RECEIPT OF TAX INCREMENT REVENUES

As described in Section IV of this Report, significant blight remains in the Project Area. There are a significant number of deteriorated and dilapidated buildings, substandard and obsolete buildings, overcrowded housing units, and high levels of crime. The Project Area also lacks adequate commercial facilities where residents may have access to the everyday goods and services such as banks, supermarkets and drug stores that are typically found in neighborhoods.

In addition, indicators of disinvestment and neglect are prevalent. These conditions include excessive trash, dumping and junk storage and vacant lots throughout the Project Area.

The City and the Agency, and the private sector acting with and without Agency assistance, have been able to redevelop many blighted properties in the Project Area. For example, the Agency, working with the private sector, was able to redevelop twelve acres at the intersection

of Fresno and B Streets into the Kearney Palms Shopping Center and bring much needed retail goods and services, including the Project Area's only supermarket and one of the only two drug stores, into the neighborhood. Without Agency participation, this project would not have been possible. Likewise, the Agency has participated in or provided funding in a number housing rehab and new development, and has provided many public infrastructure improvements to make the area more attractive to development and improve conditions for residents. Without Agency participation in the form of land assembly, site clearing, and various forms of financial assistance, these projects would have been very difficult if not impossible for the private sector. Of the total value of construction permits that have been issued since the beginning of 1999, there was Agency involvement, either financial or other types of participation, in projects representing at least thirty-six percent of the total construction permit value.

As described in Section IV, twenty-five percent of the parcels in the Project Area are deteriorated and dilapidated; thirteen percent of the parcels are vacant, representing twenty percent of the total acreage of the Project Area. In addition, there are abundant indicators of disinvestment and neglect that continue to affect the area, including high levels of dumping, litter and debris, and open storage. Single-family home values are significantly below values in the balance of the City and crime rates are high and account for a disproportionate share of the City's crime. These conditions discourage redevelopment of the Project Area. In addition, as described in Section III, income levels in the Project Area are relatively low, making it difficult for current residents to re-invest in their community.

The time limit for the effectiveness of the SWGNRA Redevelopment Plan is January 2012. This will allow the Agency less than two more years to complete its program for most of the Project Area, at which time the amount of tax increment revenues would decline significantly. This would severely limit the Agency's ability to operate in the Project Area. The Fruit-Church Redevelopment Plan will expire in October 2014, at which time the Agency would cease operations in the remaining Fruit-Church portion of the Project Area. The extension of the time and financial limits will allow the Agency significantly more time and resources to complete projects and programs, and greater financial flexibility in responding to redevelopment opportunities as they arise. Without the proposed time and financial limit extensions, the ability of the Agency to alleviate blight will be severely limited.

VI. PROPOSED METHOD OF FINANCING, ECONOMIC FEASIBILITY, AND REASONS FOR INCLUDING TAX INCREMENT FINANCING

Section 33451.5(c)(d) of the CRL provides that the report prepared by the Agency on the Amendments contain an assessment of the proposed method of financing the Project Area, including an assessment of economic feasibility of the Amendments and the reasons for including a provision for the division of taxes pursuant to Section 33670.

This analysis is intended to provide an assessment of the economic feasibility of the Project Area, as amended, and reasons for including tax increment financing and other financing sources in the amended redevelopment plans. Economic feasibility, for purposes of this analysis, is defined to be a comparative analysis of anticipated costs for implementation of the amended redevelopment plans to the resulting revenues projected for the Project Area.

This section contains a general discussion of the costs associated with the proposed redevelopment program of activities and an evaluation of the general financing methods that may be available to the Agency. Economic feasibility is determined through a summarized feasibility cash flow analysis for the Project Area as shown on Table 41 at the end of this section.

A. TIME LIMITATIONS

Pursuant to Section 33333.10 of the California Health and Safety Code, the effectiveness dates of qualifying redevelopment plans may be extended for up to ten additional years and the date for the collection of tax increment to repay indebtedness may be extended for up to an additional ten years. The following redevelopment plans would be amended to extend the plan effectiveness date and the tax increment receipt dates by an additional ten years, as authorized under SB 211.²⁶

Table 26: Summary of New Plan Effectiveness and Tax Increment Receipt Limits

	New Plan Effectiveness	New T.I. Receipt Limit
Fruit/Church	10-07-2024	10-07-2034
Southwest Fresno GNRA	01-14-2021	01-14-2031

B. ESTIMATED TOTAL PROJECT COSTS

A determination of economic feasibility requires an identification of the potential costs associated with redevelopment of the Project Area. Redevelopment could require significant participation from the Agency in activities to promote and achieve the goals and objectives of the respective redevelopment plans and to address blighting conditions. Based upon the

²⁶ The assumed extended time limitations include time extensions allowed by SB 1045 and SB 1096 for the redevelopment project areas because of required payments into the State Educational Revenue Augmentation Fund (ERAF).

program descriptions in Section V of this Report, for purposes of this economic feasibility analysis the assumed activities and programs of the Project Area, as amended, are as follows:

1. Public improvements
2. Historic preservation
3. Land assembly
4. Business revitalization and attraction
5. Affordable housing

The Agency also anticipates other costs associated with meeting the financial obligations for implementing an effective redevelopment program. These include continued funding for Agency staff and services, operating expenses, and repayment of potential future indebtedness of the Project Area.

The redevelopment program described in this Report outlines a set of activities that have already been implemented by the Agency for the purpose of facilitating private reinvestment in the Project Area, eliminating physical and economic blighting influences; and increasing, improving and preserving the community's supply of low and moderate income housing. Upon termination of the effectiveness dates of the respective redevelopment plans, the Agency will continue to receive tax increment to repay Project Area indebtedness until the respective tax receipt dates terminate. The estimated cost of the assumed redevelopment programs over the term of the projection is as follows:

Table 27: Estimated Redevelopment Program Costs

Affordable Housing	\$37,074,000
Debt Service (existing)	7,072,000
Administration	5,490,000
SERAF (2010-11)	264,000
Redevelopment Projects & Programs:	
Public Improvements	\$33,088,000
Historic Preservation	3,008,000
Land Assembly	15,040,000
Business Revitalization & Attraction	<u>9,024,000</u>
Subtotal Projects & Programs	\$60,160,000
Total Project Costs	<u>\$110,060,000</u>

As tax increment revenue sources become available to the Project Area in future fiscal years, the feasibility cash flow assumes that the Agency will exercise its discretion in the annual budgetary allocation of the available resources (net of housing set aside requirements, existing senior lien bond debt service obligations and Agency administration) to fund projects and programs that will eliminate blighting conditions in the Project Area. The discretionary projects

and programs assumed in this scenario include public improvements, historic preservation, land assembly, and business revitalization and attraction activities. The discretionary projects and programs are more fully described in Section VI of this Report. Affordable housing programs will be funded from housing set aside funds as described below.

The feasibility cash flow scenario assumed on Table 41 does not restrict the Agency to only the projects and programs shown nor, by including the same, do these cash flow projections obligate the Agency to a specific funding priority or time sequence as shown. The inclusion of such projects and programs is intended to recognize that the Agency, at its discretion, will allocate future Project Area resources as they are prioritized and determined by the Agency Board each year. To the extent the Agency elects to not fully apportion the annual net resources in a given year, the resulting funds would carry over to become available resources in the subsequent year.

1. Affordable Housing

The Agency is annually required to deposit twenty percent of gross tax increment revenues generated by the Project Area into the Low and Moderate Income Housing Fund for the purposes of increasing, improving and preserving the community's supply of low and moderate income housing available at an affordable housing cost. Under CRL Section 33333.10(g), for the redevelopment plans being amended under this plan amendment, the Agency will be required to set aside 30 percent of gross tax increment revenues commencing with the first fiscal year that commences after the date of adoption (assumed as FY 2011-12). Specific housing-related projects, programs and activities are not delineated in this feasibility cash flow, but it is assumed that as housing set aside funds become available they are used by the Agency to fund such expenditures.

2. Debt Service on Bonds and Loans

The Agency will consider all funding alternatives allowable under the CRL to finance the anticipated redevelopment projects and programs. One typical financing option is the issuance of tax allocation bonds. The Agency may utilize tax increment revenues generated in the Project Area to secure the debt service of tax allocation bonds to assist in the financing of anticipated project costs.

The feasibility cash flow only reflects existing debt service payments on current bonds and loans outstanding. These include the 2001 Tax Allocation Bonds secured by tax increment from the Southwest Fresno GNRA Project Area. For purposes of this feasibility cash flow, no additional bond financing is assumed and all future projects and programs of the Project Area will be funded on an annual pay-as-you-go basis, relying upon net tax increment revenues annually available to the Project Area.

3. Administration

The projected operating costs for administration of the redevelopment program are assumed to be equivalent to four-point-four percent of gross tax increment revenue each year. The assumed factor is based upon the FY 2009-10 administrative budget relative to the budgeted gross tax increment revenue.

4. SERAF

The California State Legislature adopted Assembly Bill 26-4x to take \$1.7-billion from local redevelopment funds in FY 2009-10 and an additional \$350-million in FY 2010-11, and shift the tax increment funds to the Supplemental Education Revenue Augmentation Fund ("SERAF") to offset State deficits to K-12 schools and community college districts. According to Agency staff estimates, the Project Area's FY 2009-10 SERAF exposure is \$1,283,000 and for FY 2010-11 the Project Area's exposure would be an additional \$264,000. An appeal filed with the Third District Court of Appeal challenging the constitutionality of AB 26-4x is pending. Future year demands from the State are not assumed in the projection.

5. Public Improvements

The public improvement program is intended to upgrade aging public infrastructure systems and implement streetscape and beautification projects anticipated upon amendment of the Project Area. The public improvement program also includes the provision of additional parking facilities, the development of open space, recreation and park improvements, and various historic preservation activities. This scenario of economic feasibility assumes that fifty-five percent of annual net tax increment revenues will be budgeted towards the funding of public improvements.

6. Historic Preservation

The historic preservation program will enable the Agency to encourage the effective re-use of existing buildings and the preservation of the City's historic architectural resources. The program will help alleviate the problem of vacant and/or abandoned buildings, especially those that may become unsafe due to deterioration, structural failure or vandalism. This program provides incentives for the restoration, rehabilitation, adaptive reuse, and/or relocation of historically and architecturally significant structures and properties to ensure orderly and compatible development while maintaining their continued viability as a cultural resource to the community. This may involve rehabilitation loans and grants or other forms of Agency assistance. This scenario assumes that 5 percent of annual net tax increment revenues will be budgeted for historic preservation.

7. Land Assembly

The purpose of this program is to assemble small underutilized and/or poorly configured parcels of property into sites suitable for modern development to contemporary standards, create expansion opportunities for existing businesses, create opportunities for consolidation and/or expansion of governmental facilities, and create opportunities for the development of mixed-use residential projects. The costs typically would include land assembly, relocation assistance, site clearance, and/or site preparation. This scenario of economic feasibility assumes that twenty-five percent of annual net tax increment revenues will be budgeted towards the funding of land assembly costs.

8. Business Revitalization and Attraction

The purpose of this program is to allow the Agency to provide incentives to encourage existing businesses to remain in the Project Area, to expand from current facilities, and encourage new businesses to locate in the Project Area. The program would also include funding for the storefront improvement program and potentially could include commercial rehabilitation loans. This scenario of economic feasibility assumes that fifteen percent of annual net tax increment revenues will be budgeted towards the funding of business revitalization and attraction costs.

C. FINANCING METHODS AVAILABLE TO THE AGENCY

The Plan is prepared with the intent of providing the Agency with the necessary legal authority and flexibility to continue to implement the revitalization of the Project Area. The Plan authorizes the Agency to finance the Project Area with financial assistance from any or all of the following sources: (1) City; (2) State of California; (3) federal government; (4) tax increment funds in accordance with provisions of the existing CRL; (5) Agency bonds; (6) interest income; (7) loans from private financial institutions; (8) lease or sale of Agency-owned property; (9) donations; and (10) any other legally available public or private sources.

Assumed revenue sources to fund project costs, as discussed and assumed in this feasibility cash flow, include, but are not limited to, the following: (1) tax increment revenues; (2) existing miscellaneous revenues; and (3) interest earnings. The estimated resources available to finance the proposed redevelopment programs are summarized as follows:

Table 28: Financing Resources Available for Redevelopment in the Project Area

Net Tax Increment (net of pass throughs)	\$67,073,000
Housing Set Aside	37,074,000
Other Revenue Sources	5,728,000
Interest Earnings	207,000
Total Aggregate Resources	\$110,082,000

Current provisions of the CRL provide authority to the Agency to create indebtedness, issue bonds, borrow funds or obtain advances in implementing and carrying out the specific intents of a Redevelopment Plan. The Agency is authorized to fund the principal and interest on the indebtedness, bond issues, borrowed funds or advances from tax increment revenue and any other funds available to the Agency. To the extent that it is able to do so, the City may also supply additional assistance through City loans or grants for various public facilities or other project costs. Although other funding sources such as these may be available to the Agency, the feasibility cash flow on Table 41 only reflects the following funding sources:

1. Tax Increment Revenues

A summary of the projection of the incremental taxable values and resulting tax increment revenues for the Project Area is shown on Table 42. The gross total tax increment revenues for the Project Area over the term during which the Agency could receive tax increment from the respective project areas is projected to amount to \$124,781,000, of which \$2,496,000 would be charged by the County to recover administrative overhead (per SB 2557); \$37,074,000 would be required for deposit into the Housing Fund; and \$18,138,000 would be allocated to affected taxing entities under an existing tax sharing agreement and statutory pass through payments triggered under Sections 33607.5 and 33607.7. The net non-housing tax increment revenues available to the Agency over the term of the projection total \$67,073,000.

Without the Redevelopment Plan Amendment, the tax increment revenues of the Project Area would significantly decline once the respective Redevelopment Plan time limitations are reached. The cumulative tax increment revenue cap imposed on the Project Areas would affect the Agency's ability to receive the full benefit of tax increment revenue over the remaining term of the projection after the amendment. Once the cumulative tax increment limits have been reached, the Agency forfeits excess tax increment revenues. For example, by simply applying the Proposition 13 two percent inflation factor to future values the resulting tax increment revenue would reach the revenue limits in the Fruit/Church Project by FY 2030-31 and in the Southwest Fresno GNRA by FY 2026-27. Between FY 1999-2000 and FY 2009-10, the assessed values in the Project Area experienced an annual increase of eight-point-five percent. Therefore, to the extent that future Project Area values continue to increase beyond the allowable two percent Proposition 13 factor, the revenue limits will be reached even earlier than noted above.

The following assumptions were incorporated in the Project Area tax increment revenue projections shown on Table 43 (Fruit/Church) and Table 44 (Southwest Fresno GNRA):

- a) Current FY 2009-10 assessed values, as reported by the Fresno County Auditor-Controller, provide the basis from which future year tax increment is determined.
- b) Future real property (land and improvement) values annually increase as a result of an assumed annual four percent inflation factor (reflecting assumed Proposition 13 growth

and an increase for miscellaneous transfer of ownership or new construction activities). Specific new developments were not identified for inclusion in the projections.

- c) Tax rates for Fruit/Church and Southwest Fresno GNRA of one-point-zero-five percent and one-point-zero-seven percent, respectively, were used for the computation of gross tax increment revenue, based upon tax override information provided by the County Auditor-Controller. In addition, a County administrative charge allowed under SB 2557 (equal to two percent of gross tax increment) has been debited each year.
- d) A tax sharing agreement with the County Library District was entered into by the Agency in August 1986. The Library District receives its full share of annual tax increment revenues from the Project Area.
- e) Statutory pass through allocations pursuant to CRL Sections 33607.5 and 33607.7 are shown for the Project Area. The allocations are made to all affected taxing agencies other than the County Library District (which has a tax sharing agreement) and the City of Fresno (which is assumed to allow the Agency to use its allocation).
- f) For FY 2010-11, the housing set aside of twenty percent of annual tax increment is reflected pursuant to the provisions of H&S Code Section 33334.2. Commencing in FY 2011-12 and upon approval of the Amendments, the Agency would be required to set aside 30 percent of annual tax increment for the Project Area.

2. Housing Set Aside

As stated previously, the Agency is annually required to deposit a portion of the gross tax increment revenues into the Low and Moderate Income Housing Fund for the purposes of increasing, improving and preserving the community's supply of low and moderate income housing available at an affordable housing cost. The housing set aside is available at the Agency's discretion for allocation to various housing-related projects, programs and activities not incorporated in the Table 41 feasibility cash flow projection.

3. Other Revenue

The Agency has budgeted receipt of other revenues to help fund ongoing redevelopment programs. The other identified revenues reflect budgeted rental income and loan proceeds.

4. Interest Income

The Agency may receive interest earnings generated from funds on deposit in the bond reserve funds, project operating funds and other special funds established for the Project Area. Interest earnings are based upon an assumed three percent rate on debt reserve funds.

D. PROPOSED FINANCING METHOD, ECONOMIC FEASIBILITY, AND REASONS FOR INCLUDING TAX INCREMENT FINANCING

The anticipated costs to implement a program of revitalization in the Project Area will require significant participation from the Agency as it implements activities that promote and achieve the stated goals and objectives of the redevelopment plan. Economic feasibility of the redevelopment plans has been determined based upon a comparative cash flow analysis of the anticipated costs for implementation of the proposed redevelopment program to the resulting projected resources projected over the term of the Project Area feasibility cash flow.

The economic feasibility summarized on Table 41 was created to represent one scenario of economic feasibility. At the discretion of the Agency, other funding sources discussed above may also represent viable funding alternatives for economic feasibility of the amended Redevelopment Plans. Although the Agency may consider other funding sources permitted in the Redevelopment Plans, not all of the funding sources may be available or be feasible for the Agency to use in financing the anticipated costs and revenue shortfalls. In the event that neither the City nor the private market acting alone could fully bear the costs associated with revitalization of the Project Area, the implementation of a redevelopment program utilizing tax increment revenues must be considered as a viable financing tool.

The cash flow projection reflects assumptions based on KMA's understanding of the assessment and tax apportionment procedures employed by the County. The County procedures are subject to change as a reflection of policy revisions or administrative, regulatory or legislative mandate. Assumptions have also been made that legislatively-mandated SERAF payments to the State will not be required in future fiscal years. These assumptions are based on existing State policies and are subject to future regulatory or legislative changes.

No assurances are provided by KMA as to the certainty of the projected tax increment revenues shown in this Section. Actual revenues may be higher or lower than what has been projected and are subject to valuation changes resulting from new developments or transfers of ownership not specifically identified herein, actual resolution of outstanding appeals, future filing of appeals, changes in assessor valuation standards, or the non-payment of taxes due. A reasonable attempt has been made to forecast the redevelopment projects, programs and activities that could be undertaken in the Project Area. However, actual funding will be based upon actual revenues available to the Agency in future fiscal years. Therefore, the expenditure program reflected on Table 41 is presented as an "order of magnitude" estimate based upon the forecasted tax increment revenues.

Based upon the assumptions incorporated in the cash-flow scenario shown on Table 41 the Redevelopment Plan, as amended under this scenario, is deemed to be economically sound and feasible as future Project Area expenditures are fully funded by future Project Area resources.

E. TAX INCREMENT REVENUE LIMITS

As stated previously, the reported Project Area assessed values from FY 1999-2000 to FY 2009-10 increased eight-point-five percent per year over the ten-year period. In determining the potential forfeiture of future tax increment revenues under the current tax increment revenue caps, KMA applied an eight percent growth factor to reported assessed values over the term of the time limits as to be extended under this Amendment. KMA prepared a series of growth iterations to determine an appropriate factor to multiply against the current revenue limits for the Fruit/Church and Southwest Fresno GNRA project areas so as to ensure that any new revenue limit would be sufficient to permit the Agency to receive projected tax increment revenues to the full term allowed under CRL. The iterations prepared by KMA resulted in the following new revenue caps:

Table 29: Existing and Proposed Tax Increment Limits

	Old T.I. Limit	Allocated as of June 30, 2009	Proposed New T.I. Limit
Fruit/Church	\$21,000,000	\$6,621,000	\$52,500,000
Southwest Fresno GNRA	113,000,000	50,814,000	226,000,000

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Southwest Plan Terminates															Full Church Plan Terminates				
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15				
	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25				
I. Revenue:																			
Gross Tax Increment Revenue	3,607	3,764	3,928	4,097	4,274	4,457	4,648	4,846	5,052	5,266	5,489	5,721	5,962	6,212	6,473				
Less Housing Set Aside	(721)	(1,129)	(1,178)	(1,229)	(1,282)	(1,337)	(1,394)	(1,454)	(1,516)	(1,580)	(1,647)	(1,716)	(1,789)	(1,864)	(1,942)				
Less Tax Sharing & Co Admin Charges	(353)	(379)	(407)	(437)	(488)	(540)	(593)	(648)	(707)	(767)	(830)	(895)	(962)	(1,033)	(1,106)				
Other Revenue	382	382	382	382	382	382	382	382	382	382	382	382	382	382	382				
Bond Reserve Earnings at 3%	26	26	26	26	26	26	26	26	0	0	0	0	0	0	0				
Total Revenue	2,940	2,664	2,750	2,839	2,911	2,987	3,068	3,151	3,211	3,300	3,394	3,491	3,593	3,697	3,807				
II. Expenditures:																			
Existing Debt Service	884	884	884	884	884	884	884	884	0	0	0	0	0	0	0				
Administration (4.4% of T.I.)	159	166	173	180	188	196	204	213	222	232	242	252	262	273	285				
SERAF	264	0	0	0	0	0	0	0	0	0	0	0	0	0	0				
Total Expenditures	1,307	1,050	1,057	1,064	1,072	1,080	1,088	1,097	222	232	242	252	262	273	285				
III. Available for Future Redevelopment Programs	1,633	1,614	1,693	1,774	1,838	1,906	1,979	2,053	2,988	3,068	3,152	3,239	3,330	3,423	3,522				
IV. Future Redevelopment Program Allocations:																			
Public Improvements at 55%	898	888	931	976	1,011	1,048	1,088	1,129	1,643	1,687	1,734	1,781	1,832	1,883	1,937				
Historic Preservation at 5%	82	81	85	89	92	95	99	103	149	153	158	162	167	171	176				
Land Assembly at 25%	408	404	423	444	460	477	495	513	747	767	788	810	833	856	881				
Business Revitalization & Attraction at 15%	245	242	254	266	276	286	297	308	448	460	473	486	500	513	528				
Total Future Redevelopment Allocations	1,633	1,614	1,693	1,774	1,838	1,906	1,979	2,053	2,988	3,068	3,152	3,239	3,330	3,423	3,522				
V. Housing Fund Expenditures																			
	721	1,129	1,178	1,229	1,282	1,337	1,394	1,454	1,516	1,580	1,647	1,716	1,789	1,864	1,942				

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Table 41
Feasibility Cash Flow - Project Fund
Merger 2 - Combined Projects
Fresno Redevelopment Agency
(000's Omitted)

	16	17	18	19	20	21	22	23	24	25	Memo Totals
	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32	2032-33	2033-34	2034-35	
	Southwest TI Receipt										
	Fruit Church TI Receipt										
I. Revenue:											
Gross Tax Increment Revenue	6,744	7,025	7,318	7,623	7,939	8,268	3,448	1,285	1,336	0	87,708
Less Housing Set Aside	(2,023)	(2,108)	(2,195)	(2,287)	(2,382)	(2,481)	(1,034)	(385)	(401)	0	37,074
Less Tax Sharing & Co Admin Charges	(1,181)	(1,262)	(1,343)	(1,429)	(1,539)	(1,652)	(1,582)	(244)	(259)	0	(20,635)
Other Revenue	0	0	0	0	0	0	0	0	0	0	5,728
Bond Reserve Earnings at 3%	0	0	0	0	0	0	0	0	0	0	208
Total Revenue	3,539	3,655	3,779	3,907	4,018	4,135	831	655	676	0	110,082
II. Expenditures:											
Existing Debt Service	0	0	0	0	0	0	0	0	0	0	7,072
Administration (4.4% of T.I.)	297	309	322	335	349	364	152	57	59	0	5,490
SERAF	0	0	0	0	0	0	0	0	0	0	264
Total Expenditures	297	309	322	335	349	364	152	57	59	0	7,072
III. Available for Future Redevelopment Programs	3,242	3,345	3,457	3,571	3,668	3,771	679	598	617	0	Current Debt Svc
IV. Future Redevelopment Program Allocations:											Administration
Public Improvements at 55%	1,783	1,840	1,901	1,964	2,017	2,074	373	329	339	0	264 SERAF to State
Historic Preservation at 5%	162	167	173	179	183	189	34	30	31	0	Public Improvements
Land Assembly at 25%	811	836	864	893	917	943	170	150	154	0	Historic Preservation
Business Revitalization & Attraction at 15%	486	502	519	536	550	566	102	90	93	0	Land Assembly
Total Future Redevelopment Allocations	3,242	3,345	3,457	3,571	3,668	3,771	679	598	617	0	9,024 Business Revitalization
V. Housing Fund Expenditures	2,023	2,108	2,195	2,287	2,382	2,481	1,034	385	401	0	37,074
											Housing Expenditures
											110,060
											Total Expenses

Table 42 **Preliminary Draft**
Tax Increment Revenue Projection
Merger 2 - Combined Project Areas
Fresno Redevelopment Agency
(000's Omitted)

	1	2	3	4	5	6
Fiscal Year	Total Increment Revenue	Less County Admin Fee	Less Housing Set Aside	Less Existing Pass Thru	Less Triggered Statutory Sharing	Net Tax Revenue
2010-11	3,607	(72)	(721)	(60)	(221)	2,533
2011-12	3,764	(75)	(1,129)	(62)	(241)	2,256
2012-13	3,928	(79)	(1,178)	(65)	(263)	2,343
2013-14	4,097	(82)	(1,229)	(68)	(287)	2,431
2014-15	4,274	(85)	(1,282)	(71)	(332)	2,503
2015-16	4,457	(89)	(1,337)	(74)	(377)	2,580
2016-17	4,648	(93)	(1,394)	(77)	(423)	2,660
2017-18	4,846	(97)	(1,454)	(80)	(471)	2,744
2018-19	5,052	(101)	(1,516)	(84)	(522)	2,830
2019-20	5,266	(105)	(1,580)	(87)	(575)	2,919
2020-21	5,489	(110)	(1,647)	(91)	(629)	3,013
2021-22	5,721	(114)	(1,716)	(95)	(686)	3,110
2022-23	5,962	(119)	(1,789)	(99)	(744)	3,211
2023-24	6,212	(124)	(1,864)	(103)	(806)	3,316
2024-25	6,473	(129)	(1,942)	(107)	(869)	3,425
2025-26	6,744	(135)	(2,023)	(112)	(935)	3,539
2026-27	7,025	(141)	(2,108)	(116)	(1,005)	3,656
2027-28	7,318	(146)	(2,195)	(121)	(1,076)	3,779
2028-29	7,623	(152)	(2,287)	(126)	(1,150)	3,907
2029-30	7,939	(159)	(2,382)	(131)	(1,249)	4,018
2030-31	8,268	(165)	(2,481)	(137)	(1,350)	4,136
2031-32	3,448	(69)	(1,034)	(57)	(1,456)	832
2032-33	1,285	(26)	(385)	(21)	(197)	655
2033-34	1,336	(27)	(401)	(22)	(210)	676
2034-35	0	0	0	0	0	0
TOTAL	124,781	(2,496)	(37,074)	(2,065)	(16,074)	67,073

Table 43

**Tax Increment Revenue Projection
Merger 2 - Fruit/ Church
Fresno Redevelopment Agency
(000's Omitted)**

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Fiscal Year	(1) Projected Secured Value		(2) Projected Unsecured Value		Total Project Value	Increment Over Base \$1,819	Gross Increment Revenue	Increased Cap x 2.5 \$52,500 TI Limit Forfeiture	(3) Total Increment Revenue	County Admin Fee -2%		Housing Set Aside -30%	(4) Library Pass Thru -1.6551%		(5) Triggered Statutory Sharing	Net Tax Revenue
	Value	Value	Value	Value						Revenue	Revenue	Revenue	Revenue			
39 2010-11	50,259		3,267	53,526		51,707	543	0	543	(11)	(11)	(109)	(9)	(9)	(27)	387
40 2011-12	52,270		3,332	55,602		53,783	565	0	565	(11)	(11)	(169)	(9)	(9)	(29)	346
41 2012-13	54,361		3,399	57,760		55,940	587	0	587	(12)	(12)	(176)	(10)	(10)	(32)	358
42 2013-14	56,535		3,467	60,002		58,183	611	0	611	(12)	(12)	(183)	(10)	(10)	(35)	370
43 2014-15	58,796		3,536	62,333		60,513	635	0	635	(13)	(13)	(191)	(11)	(11)	(42)	380
44 2015-16	61,148		3,607	64,755		62,936	661	0	661	(13)	(13)	(198)	(11)	(11)	(48)	390
45 2016-17	63,594		3,679	67,273		65,454	687	0	687	(14)	(14)	(206)	(11)	(11)	(54)	402
46 2017-18	66,138		3,753	69,891		68,071	715	0	715	(14)	(14)	(214)	(12)	(12)	(61)	413
47 2018-19	68,783		3,828	72,611		70,792	743	0	743	(15)	(15)	(223)	(12)	(12)	(68)	425
48 2019-20	71,535		3,904	75,439		73,620	773	0	773	(15)	(15)	(232)	(13)	(13)	(75)	438
49 2020-21	74,396		3,982	78,379		76,559	804	0	804	(16)	(16)	(241)	(13)	(13)	(83)	450
50 2021-22	77,372		4,062	81,434		79,615	836	0	836	(17)	(17)	(251)	(14)	(14)	(90)	465
51 2022-23	80,467		4,143	84,610		82,791	869	0	869	(17)	(17)	(261)	(14)	(14)	(98)	479
52 2023-24	83,686		4,226	87,912		86,092	904	0	904	(18)	(18)	(271)	(15)	(15)	(107)	493
53 2024-25	87,033		4,311	91,344		89,524	940	0	940	(19)	(19)	(282)	(16)	(16)	(115)	509
1 2025-26	90,514		4,397	94,911		93,092	977	0	977	(20)	(20)	(293)	(16)	(16)	(124)	524
2 2026-27	94,135		4,485	98,620		96,800	1,016	0	1,016	(20)	(20)	(305)	(17)	(17)	(133)	541
3 2027-28	97,900		4,575	102,475		100,656	1,057	0	1,057	(21)	(21)	(317)	(17)	(17)	(143)	558
4 2028-29	101,816		4,666	106,482		104,663	1,099	0	1,099	(22)	(22)	(330)	(18)	(18)	(153)	576
5 2029-30	105,889		4,759	110,648		108,829	1,143	0	1,143	(23)	(23)	(343)	(19)	(19)	(164)	594
6 2030-31	110,125		4,855	114,979		113,160	1,188	0	1,188	(24)	(24)	(356)	(20)	(20)	(175)	613
7 2031-32	114,530		4,952	119,481		117,662	1,235	0	1,235	(25)	(25)	(371)	(20)	(20)	(186)	634
8 2032-33	119,111		5,051	124,161		122,342	1,285	0	1,285	(26)	(26)	(385)	(21)	(21)	(197)	655
9 2033-34	123,875		5,152	129,027		127,208	1,336	0	1,336	(27)	(27)	(401)	(22)	(22)	(210)	676
10 2034-35	128,830		5,255	134,085		132,266	0	0	0	0	0	0	0	0	0	0

(1) Future Secured value based on the following factors: -0.237% (FY 10-11); then capped at 4%

No specific new development assumptions are reflected in the projection.

(2) Future Unsecured value based on the following factors: 0% (FY 10-11); then capped at 2%

(3) Gross Tax increment reflects an assumed tax rate as estimated by the County Auditor-Controller.

Assumes existing TI caps are increased by the Plan Amendment.

(4) Source: Fresno Redevelopment Agency payment to Library District.

(5) AB 1290 tax sharing requirements commence the first year following the year in which one or more of the limitations would have taken effect without a plan amendment. The debt incurrence limit is 10-07-2011 (FY 2012-12 adjusted base). Amended limits now reflect a 10-07-2011 debt incurrence limit, 10-07-2011 plan effectiveness limit and a 10-07-2021 debt repayment limit.

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Table 44
Tax Increment Revenue Projection
Merger 2 - Southwest Fresno GNRA
Fresno Redevelopment Agency
(000's Omitted)

Fiscal Year	(1) Projected Secured Value		(2) Projected Unsecured Value		Total Project Value	Increment Over Base \$32,739	Gross Increment Revenue	Increased Cap x 2 \$226,000 TI Limit Forfeiture	(3) Total Increment Revenue	County Admin Fee -2%	Housing Set Aside -30%	Library Pass Thru -1.6551%	(5) Triggered Statutory Sharing	Net Tax Revenue
	Value	Value	Value	Value										
42	2010-11	312,277	6,866	319,144	286,405	3,065	0	0	3,065	(61)	(613)	(51)	(194)	2,146
43	2011-12	324,768	7,004	331,772	299,033	3,200	0	0	3,200	(64)	(960)	(53)	(212)	1,911
44	2012-13	337,759	7,144	344,903	312,164	3,340	0	0	3,340	(67)	(1,002)	(55)	(231)	1,985
45	2013-14	351,269	7,287	358,556	325,817	3,486	0	0	3,486	(70)	(1,046)	(58)	(252)	2,061
46	2014-15	365,320	7,432	372,753	340,014	3,638	0	0	3,638	(73)	(1,091)	(60)	(290)	2,124
47	2015-16	379,933	7,581	387,514	354,775	3,796	0	0	3,796	(76)	(1,139)	(63)	(329)	2,190
48	2016-17	395,130	7,733	402,863	370,124	3,960	0	0	3,960	(79)	(1,188)	(66)	(369)	2,258
49	2017-18	410,936	7,887	418,823	386,084	4,131	0	0	4,131	(83)	(1,239)	(68)	(410)	2,331
50	2018-19	427,373	8,045	435,418	402,679	4,309	0	0	4,309	(86)	(1,293)	(71)	(454)	2,405
51	2019-20	444,468	8,206	452,674	419,935	4,493	0	0	4,493	(90)	(1,348)	(74)	(500)	2,481
52	2020-21	462,247	8,370	470,617	437,878	4,685	0	0	4,685	(94)	(1,406)	(78)	(546)	2,562
53	2021-22	480,737	8,537	489,274	456,535	4,885	0	0	4,885	(98)	(1,465)	(81)	(596)	2,645
1	2022-23	499,966	8,708	508,674	475,935	5,093	0	0	5,093	(102)	(1,528)	(84)	(646)	2,733
2	2023-24	519,965	8,882	528,847	496,108	5,308	0	0	5,308	(106)	(1,593)	(88)	(699)	2,823
3	2024-25	540,763	9,060	549,823	517,085	5,533	0	0	5,533	(111)	(1,660)	(92)	(754)	2,917
4	2025-26	562,394	9,241	571,635	538,896	5,766	0	0	5,766	(115)	(1,730)	(95)	(811)	3,015
5	2026-27	584,889	9,426	594,315	561,577	6,009	0	0	6,009	(120)	(1,803)	(99)	(872)	3,115
6	2027-28	608,285	9,615	617,900	585,161	6,261	0	0	6,261	(125)	(1,878)	(104)	(933)	3,221
7	2028-29	632,616	9,807	642,423	609,685	6,524	0	0	6,524	(130)	(1,957)	(108)	(997)	3,331
8	2029-30	657,921	10,003	667,924	635,185	6,796	0	0	6,796	(136)	(2,039)	(112)	(1,085)	3,424
9	2030-31	684,238	10,203	694,441	661,702	7,080	0	0	7,080	(142)	(2,124)	(117)	(1,175)	3,522
10	2031-32	711,607	10,407	722,015	689,276	7,213	0	0	7,213	(144)	(664)	(37)	(1,270)	198

- (1) Future Secured value based on the following factors: -0.237% (FY 10-11); then capped at 4%
 No specific new development assumptions are reflected in the projection.
 (2) Future Unsecured value based on the following factors: 0% (FY 10-11); then capped at 2%
 (3) Gross Tax Increment reflects an assumed tax rate as estimated by the County Auditor-Controller.
 Assumes existing TI caps are increased by the Plan Amendment.
 (4) Source: Fresno Redevelopment Agency payment to Library District.
 (5) AB 1290 lax sharing requirements commence the first year following the year in which one or more of the limitations would have taken effect without a plan amendment. Debt incurrence limit is 01-14-2009 (FY 2008-09 adjusted base), a 01-14-2009 plan effectiveness limit and a 01-14-2019 debt repayment limit.

VII. AMENDMENT TO THE AGENCY'S IMPLEMENTATION PLAN

CRL Section 33333.11(e)(7) requires the Agency to include an amendment to the implementation plan for the Project Area that includes, but is not limited to, the Agency's housing responsibilities pursuant to CRL Section 33490.

On June 7, 2005, the Agency adopted Resolution No. 1661, approving a Multi-Project Five-Year Implementation Plan for Merger No. 2. On June 7, 2010, the Implementation Plan expired. A proposed Implementation Plan has been prepared to cover the five-year time period from June 7, 2010 through June 7, 2015 (see Appendix 8 to this Preliminary Report). The Implementation Plan describes the Agency's goals and objectives for the Project Area, a summary of the specific programs and estimated expenditures proposed to be made by the Agency during the five-year period of the Implementation Plan. The Implementation Plan explains, through references to corresponding information in the Preliminary Report, how the goals and objectives, projects, and expenditures will eliminate blight within the Project Area.

VIII. NEIGHBORHOOD IMPACT REPORT

CRL Section 33333.11(e)(8) requires a new neighborhood impact report if required by subdivision (m) of CRL Section 33353, i.e., if the redevelopment project contains low or moderate income housing. The neighborhood impact report must describe the impact of the project upon the residents of the Project Area and surrounding areas in terms of relocation, traffic circulation, environmental quality, availability of community facilities and services, effect on school population and quality of education, property assessments and taxes, and other matters affecting the physical and social quality of the neighborhood. The neighborhood impact report must also include the following:

- (1) The number of dwelling units housing persons and families of low or moderate income expected to be destroyed or removed from the low and moderate income housing market as part of a redevelopment project.
- (2) The number of persons and families of low or moderate income expected to be displaced by the project.
- (3) The general location of housing to be rehabilitated, developed, or constructed pursuant to CRL Section 33413.
- (4) The number of dwelling units housing persons and families of low or moderate income planned for construction or rehabilitation, other than replacement housing.
- (5) The projected means of financing the proposed dwelling units for housing persons and families of low and moderate income planned for construction or rehabilitation.
- (6) A projected timetable for meeting the plan's relocation, rehabilitation, and replacement housing objectives.

A. IMPACT ON RESIDENTS IN THE PROJECT AREA AND SURROUNDING AREAS

1. Relocation

The purposes of the proposed Amendments are to extend time and financial limits, extend the Agency's authority to utilize eminent domain as described in Section II., and to "streamline" seven of the constituent redevelopment plans to provide a process for future compatibility with any amendments to the City General Plan and Community Plans. The Project Area contains an estimated 4,335 occupied housing units. Given the relatively low levels of income and high percentage of families below the poverty level in the Project Area (as described in Section II. of this Report), it is assumed that a significant portion of these units are occupied by low or moderate income persons or families.

In the near-term, the Agency does not anticipate causing the relocation of any persons or families. However, future land assembly efforts necessary for future land assembly for new development and residential infill development, could involve the acquisition and displacement of existing housing. Any non-voluntary or voluntary displacement that occurs as a result of Agency redevelopment activities will be mitigated by adoption of relocation plans and relocation assistance including financial payments, advisory assistance, and replacement housing plan provisions of State law relating to Agency assisted developments. These provisions are further described in the Agency's Method or Plan for Relocation adopted for each of the Constituent Plans within the Project Area at the time of adoption and are incorporated herein by reference.

According to the Agency, since 1998, the Agency has relocated forty-seven households. This has included sixteen at the intersection of California and Walnut Avenues, twenty-one for development of the Kearney Palms Shopping Center, and ten in the California triangle. The Agency is in compliance with all applicable replacement housing obligations for the Project Area, per CRL requirements.

Going forward, any units removed or destroyed by the Agency will be replaced by comparable units as required by law. Residents will not be displaced until there are relocation units available for occupancy at costs comparable to those paid by the residents at the time of displacement. The Agency will assist displaced residents in finding housing that is decent, safe and sanitary and within their financial means. Relocation assistance will include advisory assistance, financial payments, and other provisions required by State law.

It is also possible that implementation of a redevelopment project may require the temporary or permanent displacement of non-residential occupants (i.e. businesses) within the Project Area. In each case, the Agency will use its best efforts to find relocation sites meeting the needs of the individual businesses displaced by Agency activity as required by law. In addition, the Agency will work with property owners to provide every opportunity for them to participate in the redevelopment of their own properties in the Project Area. The Agency will additionally offer re-entry opportunities where feasible to existing business owners and tenants on a preferential basis.

2. Traffic Circulation

It is anticipated that over the remaining life of the Project Area, streets may be realigned or abandoned, or new streets may be constructed to improve traffic circulation in the Project Area. In addition, as described in Section VI., the Agency may undertake a number of street improvements. Redevelopment activities undertaken in accordance to adopted City plans and guidelines will help alleviate some of the deficiencies in the traffic circulation system in the Project Area.

3. Environmental Quality

The Initial Study prepared for the Amendments reviewed the potential impact of the Amendments on the following resource areas:

- Aesthetics
- Agricultural and Forestry
- Air Quality
- Biological Resources
- Cultural Resources
- Geology/Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology/Water Quality
- Land Use/Planning
- Mineral Resources
- Noise
- Population/Housing
- Public Services
- Recreation
- Transportation/Traffic
- Utilities/Service Systems

Generally, the Amendments are not expected to create impacts to environmental quality beyond those anticipated for development in the City's General Plan. For most of the resource areas, any likely significant impacts could be mitigated, avoided or substantially lessened: Specific mitigation measures were identified for each of these areas to reduce impacts to a less-than-significant level. Resources areas for which there were significant and unavoidable impacts included air quality, cultural resources, greenhouse gas emissions, noise, and transportation and traffic.

As described in the following paragraphs, through redevelopment activities such as the removal or redevelopment of deteriorated, substandard and obsolete buildings, the development and reuse of existing vacant lots, and the installation of new and repair of existing public improvements to alleviate blight, many of the Agency's activities will improve the overall quality of the environment in the Project Area.

a. Air Quality

The City (and thus the Project Area) is located within the San Joaquin Valley Air Basin ("SJVAB"). In part due to the geography of the SJVAB, air movement is restricted and the environment is predisposed to poor air quality. The SJVAB is considered a non-

attainment area for selected pollutants and any new construction or development is likely to contribute pollutants into the atmosphere. There are a number of mitigation measures that have been included in the General Plan Master EIR ("GP MEIR") to alleviate and reduce the impacts of growth and development on air quality. In addition, the SEIR concluded that, with mitigation, direct and cumulative impacts on greenhouse gas ("GHG") emissions would remain significant and unavoidable. While mitigation measures may significantly reduce ("GHG") emissions, many of the control measures required are not under the jurisdiction of the Agency. Therefore, based upon an abundance of caution and despite the lack of a formal criteria for determining the level of significance of a project's contribution to climate change, the Agency concludes that direct GHG emissions may be caused by the Amendments that are significant and unavoidable. One of the goals of redevelopment of the Project Area is to encourage infill and brownfield development to help reduce the demand for Greenfield development and the resultant increase in vehicle miles traveled and air emissions. The Amendments will not result in any additional impacts beyond those identified in the GP MEIR and SEIR. Development and redevelopment projects in the Project Area will be subject to the same requirements as any other development activity in the City. It is anticipated that through the implementation of the mitigation measures required by the City and described in the GP MEIR, potential impacts to air quality can be significantly reduced.

b. Biological Resources

The Project Area is highly urbanized and surrounded by dense urbanization to the north and east. To the west and south, the Project Area is surrounded by urban development and vacant land. There are no wetlands in the Project Area and native habitat has been removed over time as the Project Area and surroundings developed. There are no sensitive habitats located within the Project Area. The GP MEIR determined that implementation of the General Plan would have a less-than-significant impact on biological resources. As the redevelopment activities will fall within the limits analyzed in the GP MEIR, there would be no significant impacts on biological resources by the Amendments.

c. Noise

As an urbanized area incorporating adjacent to freeways, the noise environment in the Project Area includes areas subject to high noise levels. Mitigation measures included in the GP MEIR and SEIR were intended to address noise levels and assess their impacts on an individual bases for any proposed development projects. Because the Project Area is already highly developed, the infill development that is likely to occur is unlikely to increase noise levels above levels that would be considered significant according to the City's General Plan Noise Element and Noise Ordinance.

d. Cultural and Historic Resources

The City has plans and policies in place to protect cultural and historic resources, including a Historic Preservation Ordinance and a Resource Conservation Element in the General Plan. These plans and policies are designed to prevent the loss of historically significant resources, including structures, and archeological and paleontological resources and sites. Properties proposed for redevelopment activities will be screened and examined in accordance with City policies. One of the Agency's goals is to reuse and rehabilitate structures that contribute to the historic fabric of the City. Redevelopment activities will be subject to the mitigation measures outlined in the GP MEIR and the SEIR for the preservation of archeological and paleontological resources to reduce potential impacts to historic resources. Mitigation activities include conducting Historic Building Surveys and the City and the Agency adopting and implementing a survey protocol for future development projects that would require the developer or property owner to complete an intensive-level historical resources survey assessment.

e. Aesthetics

Existing conditions in the Project Area include vacant and/or deteriorated buildings, vacant lots with weeds and trash, unscreened outdoor storage, and areas with mixed uses (residential and industrial intermixed). There are no scenic vistas or adopted view corridors in the Project Area that could be affected by redevelopment activities. Redevelopment activities would help alleviate visual blighting influences through the rehabilitation of deteriorated buildings, and improvements to landscaping and streetscapes, and fencing and screening of outdoor storage.

4. Community Facilities and Services

a. Fire, Emergency and Police Protection

Fire and emergency services are provided by the Fresno Fire Department ("FFD"). The Project Area is served by two fire stations: one located on Fresno Street at E Street which serves downtown and parts of southwest Fresno, and another on Cherry Avenue at Jensen Avenue. Emergency medical services are provided by a private contractor. Police protection is provided by the Fresno Police Department ("FPD"). The Project Area is within the Southwest Division of the FPD. The California Highway Patrol ("CHP") provides law enforcement services related to the State highway system. It is anticipated that there will be some growth in the population in the Project Area as infill development occurs and thus the demand for fire, emergency and police services may increase. However, it is also anticipated that the redevelopment of deteriorated and substandard buildings will improve the safety and overall environment of the Project Area. The

installation of improved street lighting and improvement in the overall streetscape along commercial corridors should improve safety and reduce crime.

b. Parks

Parks and recreational space are maintained by the Parks, After School, Recreation and Community Services ("PARCS") Department of the City. The primary parks and recreation spaces serving the Project Area are Hyde Park, Carver Park, Bigby Villa Park, Hinton Park and the Ivy Neighborhood Center recreational facility. There are also the Nielsen, Fink White, and Frank M. Ball playgrounds in addition to school playground facilities maintained by the Fresno Unified School District ("FUSD"). One of the Agency's priorities is to provide additional parks and recreation space. The Agency has developed three pocket parks in the Project Area. Streetscape improvements proposed for the Project Area would also provide green corridors through the Project Area.

c. Public Utilities

The City's primary water source is treated and untreated ground water from the Fresno Sole Source Aquifer. The groundwater is supplemented with treated surface water and an active recharge system protects the aquifer. According to the Initial Study, the City's network of water supply wells and distribution mains is considered generally sufficient to accommodate existing development and future development in the Project Area. Although the major transmission lines are adequate, water service laterals may need to be replaced or upgraded to accommodate continued development in the Project Area. The Amendments, by providing the Agency with additional time and resources, would be able to provide assistance to the City with the installation of upgraded water facilities to encourage the removal of blight and redevelopment of properties in the Project Area.

The City is the regional provider of sewer services and wastewater treatment. The City collects and conveys wastewater to the Fresno-Clovis Regional Wastewater Treatment Facility, which has a capacity of eighty million gallons per day ("MGD"). Currently, the facility receives sixty-eight MGD. The sewer system consists of a hierarchy of pipelines ranging in size from small diameter pipes (six to ten inches) that connect individual properties to large truck or interceptor sewers (thirty inches or more) that convey wastewater to the Treatment Facility. The Amendments, by given the Agency more time and resources would be able to provide assistance to the City in the installation of upgraded wastewater treatment facilities to encourage the removal and blight and redevelopment of properties in the Project Area.

Flood and drainage control in the Fresno metropolitan area is provided by the Fresno Metropolitan Flood Control District ("FMFCD"), which manages a system of interconnected surface conveyances (e.g. streets and gutters), storm drain inlets and pipelines, detention and retention basins, pump stations and outfalls that collect and

drain runoff from developed land areas. The system is designed to retain and filter as much runoff as possible; it discharges into irrigation canals, creeks and the San Joaquin River. The FMFCD has completed extensive improvements to the system and cleans inlets and pipelines to prevent obstructions. Drainage service for new development is funded through development fees paid upon approval. As with the other public infrastructure systems in the Project Area, the Amendments would allow the Agency additional time and resources that could be utilized to help improve existing drainage control by the installation of streets and gutters and curbs, and other system components to encourage redevelopment and the alleviation of blight in the Project Area.

Communication services (telephone, cable and internet) are provided by several companies to the Project Area. The majority of communication systems in the Project Area are underground, though there are also communication towers for wireless services within the Project Area as well. There are no known deficiencies in the communication systems within the Project Area. The Amendments are not expected to have any negative effects on communicational services.

5. School Population and Quality of Education

The Project Area is served by the FUSD for grades K–12. The FUSD maintains a number of schools and administrative sites within the Project Area. The redevelopment of the Project Area could potentially increase school population due to increases in resident population because of construction of new residential units, and by non-residential development to a lesser degree. The FUSD has enacted developer's fees to offset the effects of residential and non-residential development related to school facilities. In addition, alleviating the blighting conditions, especially in the portions of the Project Area that have experienced declining or stagnant property values, would encourage reinvestment in the Project Area, which would cause property values to increase. Such increases would generate additional property tax revenue for schools, as they would receive a portion of the increased property tax revenues, when properties are sold or improvements to the property are made. The state legislature recognized the potential impact to schools by redevelopment funding and specifically provided a net increase in funding for school capital improvements under AB 1290. The Amendments are not expected to have negative impacts on school population or quality of education.

6. Transportation and Traffic

While future development within the Project Area may entail the abandonment for realignment of streets or alleys, or the development of new streets or alleys, transportation planning is governed by the City's General Plan and the Edison Community Plan. Any future development would be reviewed to ensure compliance with applicable plans and standards. As described in Section II, the Agency has undertaken a number of street and traffic improvements to improve traffic and circulation in the Project Area. The Agency has an on-going program of public

improvements that includes repair, construction and reconstruction of streets, traffic improvements, traffic signal and safety lighting improvements to improve traffic and transportation in the Project Area.

7. Property Taxes and Assessments

The proposed Amendments will not cause property taxes to increase. Regardless of whether a property is in the Project Area or not, the County Tax Assessor may increase property valuations for existing properties at a maximum rate of two percent per year, as allowed under Proposition 13. In general, property tax increases above the two percent allowed under Proposition 13 occur in two circumstances: 1) when a property is sold; and 2) when improvements are made. These provisions apply irrespective of whether the property is within the Project Area. During the life of each Constituent Plan, taxable valuation of property in and adjoining the Project Area should increase in value as development or redevelopment of properties occurs. New development within the Project Area will be assessed in the same manner as property outside of the Project Area: at market value, as determined by the County Tax Assessor. In cases where a property is sold to another party, the property will be reassessed at market value.

Another matter potentially affecting property taxes in the Project Area and surrounding areas would be the possibility of additional levies resulting from the formation of special assessment districts. The financing of the redevelopment program, as outlined in this Report, assumes no special assessments within the Project Area and there are no proposals for formation of special assessment districts at this time.

B. RELOCATION AND LOW AND MODERATE INCOME HOUSING

As described in Section VI, the Agency has two programs for increasing, improving and preserving the community's supply of affordable housing. The following is a discussion of the specific issues that are required to be address by Section 33333.11(e)(8) of the CRL Related to these efforts.

1. Housing Units to be Destroyed or Removed

In the event that any low and moderate housing units within the area are displaced, the Agency will provide replacement housing units and assistance to the displaced persons or families as required by State law, the CRL, and the Agency's policies and guidelines regarding relocation.

2. Projected Residential Displacement and Number and Location of Replacement Housing Units

As described in the preceding paragraph, the Agency does not anticipate the displacement of low or moderate income residents due to its redevelopment activities. However, if such

displacement occurs, the Agency will identify such locations prior to such displacement. These locations are anticipated to be found within Project Area boundaries or in adjacent areas with sufficient vacant or underutilized properties.

3. Financing Method for Replacement Housing Requirements

The primary source of financing for any replacement housing units will be the Agency's Low and Moderate Income Housing Funds.

4. Timetable for the Provision of Relocation Housing

The Agency does not anticipate the displacement of residents, but if such displacement occurs, the Agency will develop a timetable as part of a Replacement Housing Plan(s) for the provisions of replacement units that ensure the units will be available within the time limits prescribed by law.

C. OTHER MATTERS AFFECTING THE PHYSICAL ENVIRONMENT

The proposed Amendments should have beneficial impacts on property owners and business owners in the Project Area. The implementation of Agency projects and programs consistent with the objectives of the General Plan and the Community Plans will bring about coordinated growth and development, and improvements in the public infrastructure system that will make the Project Area a more attractive place to live and work. Continued implementation of the Agency's projects and programs will also stimulate reinvestment by the private sector and further assist in the alleviation of blighting conditions. In addition, the Project Area will provide housing opportunities for current and future residents within the Project Area at a variety of income levels.

IX. DESCRIPTION OF EACH BOND SOLD BY THE AGENCY PRIOR TO THE ANTICIPATED ADOPTION DATE OF THE AMENDMENTS

Section 33333.11(e)(9) requires that a description of each bond sold by the Agency to finance or refinance the redevelopment project prior to six months before the date of adoption of the proposed Amendment(s) be included in this Report. This description must include the amount of remaining principal for each bond sold, the annual payments, and the date that the bond will be paid in full.

For the Project Area, the Agency completed a bond issuance in 2001 with net proceeds to the Agency of \$10 million. The interest rates for the bonds vary from four percent to five-point-twenty-five percent and annual principal installments vary from \$115,000 to \$535,000 through 2019. Debt service in fiscal year 2010 is projected to be \$884,128 (\$575,000 paid on the principal and approximately \$309,128 paid in interest). The bond payment schedule for the bonds is shown in Table 30 below.

Table 30: SWGNRA Tax Allocation Bond Debt Service Schedule

For Period Ending June 30,	Principal	Interest	Annual Debt Service
2002	115,000	396,087.55	511,087.55
2003	300,000	441,827.50	741,827.50
2004	315,000	429,527.50	744,527.50
2005	475,000	413,727.50	888,727.50
2006	495,000	394,327.50	889,327.50
2007	510,000	374,227.50	884,227.50
2008	530,000	353,427.50	883,427.50
2009	555,000	331,727.50	886,727.50
2010	575,000	309,127.50	884,127.50
2011	595,000	285,727.50	880,727.50
2012	625,000	261,015.00	886,015.00
2013	645,000	234,657.50	879,657.50
2014	675,000	206,600.00	881,600.00
2015	705,000	172,700.00	877,700.00
2016	740,000	132,962.50	872,962.50
2017	785,000	92,006.25	877,006.25
2018	825,000	49,743.75	874,743.75
2019	535,000	14,043.75	549,043.75
Totals	\$10,000,000	\$4,893,463.80	\$14,893,463.80

APPENDICES

Appendix 1: Definitions

"1998 Report" means the Report to City Council for the Merger of the Southwest Fresno GNRA and Fruit/Church Redevelopment Plans (Merger No. 2) prepared by Keyser Marston Associates, Inc., dated September 1998.

"Agency" means the Fresno Redevelopment Agency or the Redevelopment Agency of the City of Fresno.

"CHPP" means the Community Housing Partnership Program.

"City Council" means the City Council of the City of Fresno.

"Constituent Plans" means the Redevelopment Plan for the Southwest Fresno GNRA and the Redevelopment Plan for the Fruit/Church Project Area.

"CRL" means the California Community Redevelopment Law, Health and Safety Code Section 33000 et seq.

"DOF" means the California Department of Finance.

"FPD" means Fresno Police Department.

"HCD" means the California Department of Housing and Community Development.

"Housing Authority" means the Housing Authority of the City and County of Fresno.

"Planning Commission" means the Planning Commission of the City of Fresno.

"Project Areas" means the Constituent Project Area of the Merger No. 2 Project Area, which are the Southwest GNRA and the Fruit/Church Project Areas.

Appendix 2: Sources

Articles and News Reports

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Planning Documents

California Avenue Master Plan. Fresno Housing Authority. January 9, 2008.

Edison Community Plan. City of Fresno. May 10, 1997.

Websites

City of Fresno Police Department website. May 4, 2010.
<http://www.fresno.gov/Government/DepartmentDirectory/Police/CrimeReportsandStatistics/Default.htm>

Fresno West Coalition for Economic Development (FWCED) website 16 January 2009
<http://www.fwced.com>.

Appendix 3: Field Survey Methodology

GIS-based tools were used to organize and standardize data collection. The GIS tools were based on the City's street and parcel layers, projected at NAD83, California State Plane IV in US feet. Information from the City's GIS parcel layer was joined with data from the County Assessor's Office, as provided by Metroscan. This dataset included the following types of information: parcel number, owner name, Assessor's land use category, Assessor's property values for land and buildings, whether the parcels was part of a group of multiple parcels in the same ownership, and home ownership tax exemption status.

Field survey data was collected on 38 criteria. The data fell into four categories: Land Use, Overcrowding/Intense Use, Nuisances, and Design or Construction Defects. Each property was assigned an "Overall Condition" rating: Good, Deferred Maintenance, Deteriorated, Dilapidated, or N/A (properties with obscured views that could not be rated). These data fields were added to the database, along with additional fields for general comments. In addition, the team took pictures of select representative buildings and the photo numbers were recorded in a separate field. A sample of the first page of the data collection form is shown below. The second page of data is shown on the following page.

Parcels

☒ City Data and Land Use | ☐ Deficiencies | ☐ Attributes

Fresno Redevelopment Study

APN: _____ Owner: _____

Address: _____ Address2: _____

Legal Description: _____

Lot Width: _____ Lot Depth: _____ Area: _____

Surveyor: _____ Survey Date: _____

Land Use

☐ Parking Lot ☐ Vacant Bldg ☐ Special Land Use: _____

☐ Vacant Lot ☐ Boarded Window ☐ Laundromat

☐ Underutilized Site ☐ Boarded Entry

☐ Incompatible Land Use ☐ Obstructed View

Parcel verification data

Surveyor ID, date

"Special Land use" categories
includes neighborhood-
serving retail and

The screenshot shows a software window titled "Parcels" with a purple header bar. Below the header are three tabs: "City Data and Land Use", "Deficiencies", and "Attributes". The "Deficiencies" tab is active, displaying three sections of checkboxes:

- Indicators of Overcrowding:**
 - ☐ Trailers as Housing
 - ☐ Garage Conversion
 - ☐ Open Storage
 - ☐ Loading/Parking Conflicts
 - ☐ Excess Vehicles
 - ☐ Overcrowding
- Nuisances:**
 - ☐ Litter
 - ☐ Debris
 - ☐ Dumping
 - ☐ Graffiti
 - ☐ Exposed Dirt
 - ☐ Weeds
 - ☐ Abandoned Cars
 - ☐ Homeless
- Building Conditions:**
 - ☐ HazMat Sign
 - ☐ Substandard Construction
 - ☐ Obsolete Building
 - ☐ UMB
 - ☐ Code Inspection Needed
 - ☐ Opportunity Site
 - ☐ Check for haz mats

Below these sections are several input fields:

- Overall Rating:** A dropdown menu.
- Photo Number(s):** A text input field.
- Property for Sale:** A checkbox.
- Comments:** A large text area.

At the bottom left of the window is a small icon with the letters "nk" and a red "X" button.

Signs that building or parcel is overused

Lack of maintenance by occupants and/or City
Surveyor recommends further examination

Ratings: Good, Deferred Maintenance,
Deteriorated,
Dilapidated, N/A

The "Comments" field was used to record unique information about a parcel, such as the name of a business, additional signs of serious deterioration or dilapidation. Responses here were limited to 50 characters.

The survey team is experienced in assessing properties. Three of the four surveyors have master's degrees in Urban Planning or Architecture, and the fourth has a bachelor's degree with a certificate in construction management. Work history in planning, design, or construction ranged from seven to thirty years. The field team surveyed in pairs, and each team had a team leader with experience surveying at least 10,000 properties. Prior to starting work, the team reviewed the ranking criteria, and synchronized their use of the evaluation criteria by practicing together in the field on several parcels.

Surveying was conducted either from within a vehicle or on foot while standing in the public right of way (sidewalk). Data was entered directly into the database through the GIS software ArcPad from ESRI. The computers used were convertible laptops from Fujitsu (model 2010T or 4020T) or a Panasonic Toughbook (C18). One additional team member with a background in environmental engineering served as a driver, and advised surveyors in the industrial areas regarding the potential presence of hazardous materials.

Each evening, records from surveyed parcels were transferred to one computer for review and combining into a "daily" data set. The daily data set was reviewed for overlaps and missed parcels, and the daily progress files

were archived and mapped. The file of remaining parcels to survey, as well as the combined file of completed parcels, was uploaded back onto the laptops in anticipation of the following day's work.

A limited number (ninety) of parcels in the Project Area were not surveyed. The parcels not surveyed were primarily residential parcels in situations where the survey team could not observe conditions on the parcel (due to high walls or shrubbery, or some other type of view obstruction). In addition, there were approximately fifteen parcels on Roy Avenue in the southernmost portion of the Project Area that could not be surveyed due to safety concerns. The Fresno Police Department officers in the area recommend that the survey team not return to the area due to heightened gang activity. The ninety parcels not surveyed represent two percent of the parcels in the Project Area.

Appendix 4: Commercial Facilities

Appendix Table 1: Supermarkets in the City of Fresno

Name	Address	Name	Address
Costco	4500 W Shaw Ave	Save Mart	7075 N Marks Ave
Costco	7100 N. Abby St	Save Mart	2066 W Bullard Ave
Food-4-Less	8921 N Chestnut Ave	Save Mart	1107 E Champlain Dr
Food Maxx	1177 Fresno St	Save Mart	3750 W Shields Ave
Food Maxx	5422 N Blackstone Ave	Save Mart	6797 N Milburn Ave
Food Maxx	3241 W. Shaw Ave	Save Mart	4041 E Ashlan Ave
Food Maxx	4970 E. Kings Canyon Rd	Save Mart	5671 E. Kings Canyon Rd
Foods CO	3657 W. Shaw Ave	Save Mart	5750 N. First St
Foods CO	4838 E. Kings Canyon Rd	Save Mart	659 E. Nees St
Foods CO	3053 E. Shields Ave	Smart & Final	5700 N Blackstone Ave
Fresh & Easy	2820 E. Tulare St	Smart & Final	3330 W Shaw Ave
Fresh & Easy	2047 W. Shaw Ave	Smart & Final	631 H St
Fresh & Easy	8059 N. Cedar Ave	Trader Joe's	5376 N Blackstone Ave
Sam's Club	7663 N. Blackstone Ave	Vons	1650 E Herndon Ave
Save Mart	2425 N Blackstone Ave	Vons	8949 N Cedar Ave
Save Mart	5750 N 1st St	Vons	7733 N 1st St
Save Mart	4043 W Clinton Ave	Vons	4343 N Blackstone Ave
Save Mart	6055 N Figarden Dr	Vons	3850 N Cedar Ave
Save Mart	1625 N Fruit Ave	Vons	5638 E Kings Canyon Rd
Save Mart	4120 N West Ave	Whole Foods	650 W Shaw Ave
Save Mart	2650 E Shaw Ave	Win Co Foods	1004 S. Peach Ave
		Win Co Foods	4488 W Shaw Ave

Source: Switchboard.com, Yahoo.com

Appendix 5: Drug Stores in the City of Fresno

Pharmacy	Address	Pharmacy	Address
BK Pharmacy	4578 N. 1st St	Rite Aid	4593 Cedar Ave
BK Pharmacy	1275 E. Spruce Ave	Rite Aid	1210 N. Blackstone
BK Pharmacy	540 E. Herndon Ave	Rite Aid	1101 Fresno St
BK Pharmacy	3440 W. Shaw Ave	Rite Aid	5574 E. Kings Canyon Rd
Bowerman's Pharmacy	3131 S. Willow Ave	Rite Aid	3795 Shields Ave
Buker & Colson Medicine Chest	1300 N. Fresno St	Rite Aid	2047 W. Shaw Ave
Bullard Pharmacy	2026 W. Bullard Ave	Rite Aid	4224 E. Shields Ave
Cardinal Health	7330 N. Palm Ave	Rite Aid	2011 W. Shaw Ave
Care Center Pharmacy	1570 E. Herndon Ave	Rite Aid	6074 N. 1st St
Community First Pharmacy	3636 N. 1st St	Rite Aid	2990 E. Nees Ave
Community Home Delivery Pharmacy	110 N. Valeria St	Rite Aid	8027 N. Cedar Ave
Community Medical Arts Pharmacy	2638 Tuolumne St	Save Mart Pharmacy	659 E. Nees Ave
Community Medical Arts Pharmacy	2041 E. Divisadero St.	Save Mart Pharmacy	5750 N. 1st St
Costco	7100 N. Abby St	Save Mart Pharmacy	5671 E. Kings Canyon Rd
CVS Pharmacy	4987 N. Fresno St	Save Mart Pharmacy	1107 E. Champlain Dr
CVS Pharmacy	728 W. Shaw Ave.	Save Mart Pharmacy	7075 N. Marks Ave
CVS Pharmacy	6800 N. Milburn Ave	Save Mart Pharmacy	2425 N. Blackstone Ave
CVS Pharmacy	7096 N. West Ave	Save Mart Pharmacy	6797 N. Milburn Ave
CVS Pharmacy	3011 E. Shields Ave	Sunnyside Pharmacy	5689 E. Kings Canyon Rd
CVS Pharmacy	6750 N. Cedar Ave	Target	3150 W. Shaw Ave
CVS Pharmacy	5180 E. Kings Canyon Rd	Target	7600 N. Blackstone Ave
CVS Pharmacy	4077 W. Clinton Ave	Target	5740 N. Blackstone Ave
CVS Pharmacy	4102 N. West Ave	Target	3173 E. Shields Ave
CVS Pharmacy	1113 E. Champlain Dr	Tou's Pharmacy	3250 E. Olive Ave
CVS Pharmacy	1302 Fulton Mall	Universal Rx Service	2064 W. Paul Ave
Discount Pharmacy & Medical	703 N. Fulton St.	V V G Rx Inc.	3030 N. Fresno St
Drug Fair	1233 N. Van Ness Ave	Valley Pharmacy Inc.	2045 N. Fresno St
Fresno Pharmacy	4917 E. Kings Canyon Rd	Valu-Rite Pharmacy	1429 N. Van Ness Ave
Herndon Pharmacy	1827 E. Fir Ave	Valu-Rite Pharmacy	4222 E. Butler Ave
Manor Drugs	5795 N. 1st St	Vina Pharmacy	2308 N. Fresno St
Medical-Dental Pharmacy	689 E. Nees Ave	Vista Pharmacy	4233 E. Tulare St
Medicine Shoppe	219 E. Olive Ave	Vons	7733 N 1st St
Medicine Shoppe	4845 E. Butler Ave	Vons	4343 N. Blackstone Ave
Medicine Shoppe	2484 E. Gettysburg Ave	Vons Pharmacy	5638 E. Kings Canyon Rd
Medicine Shoppe	4009 N. Marks Ave	Vons Pharmacy	8949 N. Cedar Ave
Modern Pharmacy	3044 Tulare St	Walgreens	610 E Nees Ave
Night Reading Pharmacy	5730 N. 1st St	Walgreens	2840 Ashlan Ave
Northwest Medical Pharmacy	4770 W. Herndon Ave.	Walgreens	4182 N. 1st St
PC Pharmacy	90 E. Escalon Ave	Walgreens	7015 N. West Ave
Per Pharmacy	1104 W. Palo Alto Ave	Walgreens	6010 N. Figarden Dr.
Phar Merica	4910 E. Ashlan Ave	Walgreens	4204 E. Olive Ave
Pharm-Assist Inc.	8536 N. Del Mar Ave	Walgreens	4810 E. Kings Canyon Rd
Primary Care Pharmacy	5551 E. Kings Canyon Rd.	Walgreens	2420 N. Blackstone Ave
Professional Pharmacy Alliance	770 E. Shaw Ave	Walgreens	1344 W. Clinton Ave
Ray Fisher Pharmacy	6629 N. Blackstone Ave	Walgreens	2424 N. Brawley Ave
Ray Fisher Pharmacy	7946 N. Maple Ave	Walgreens	626 S. Clovis Ave

(Continued on the next page)

Appendix 5: Drug Stores in the City of Fresno (cont'd)

Pharmacy	Address	Pharmacy	Address
Walgreens	5747 N. Palm Ave	Walgreens	1219 N. Cedar Ave
Walgreens	4771 W. Ashlan Ave	Walgreens	2950 N. Fowler Way
Walgreens	8975 N. Chestnut Ave	Wal-Mart	3750 W. Shaw Ave
Walgreens	6885 N. Willow Ave	Westside Pharmacy	302 Fresno St
Walgreens	5785 N. 1st St	Winton's Professional Pharmacy	1377 E. Herndon Ave

Source: Switchboard.com, Yahoo.com

Appendix 6: Banking Institutions in the City of Fresno

Name	Address	Name	Address
Bank of America	3411 W Shaw Ave	CitiBank	5075 N Chestnut Ave
Bank of America	2611 S Cedar Ave	CitiBank	6025 N 1st St
Bank of America	590 E Shaw Ave	CitiBank	5545 E Kings Canyon
Bank of America	4445 E Tulare St	CitiBank	3141 N Cedar
Bank of America	8971 N Cedar Ave	CitiBank	437 S Madera Ave
Bank of America	1521 Fresno St	CitiBank	700 Bellevue
Bank of America	1264 N Wishon Ave	CitiBank	331 W Shields Ave
Bank of America	3435 N Cedar Ave	CitiBank	4191 N Blackstone Ave
Bank of America	5292 N Palm Ave	CitiBank	1010 E Perrin
Bank of America	7837 N Blackstone Ave	CitiBank	1405 W Shields
Bank of America	2513 Fresno St	CitiBank	7025 N Marks Ave
Bank of America	5708 E Kings Canyon Rd	CitiBank	530 E Yosemite Ave
Bank of America	2513 Fresno St	CitiBank	7277 N 1st St
Bank of America	3790 N Blackstone Ave	CitiBank	2303 Kern St
Bank of America	8949 N Cedar Ave	Citizens Business Bank	7110 N 1st St
Bank of America	1111 W Shields Ave	Clovis Community Bank	1107 E Champlain Dr
Bank of America	6485 N Palm Ave	Comerica Bank	5200 N Palm Ave
Bank of the Sierra	5775 E Kings Canyon	County Bank	2625 Divisadero St
Bank of the Sierra	636 E Shaw Ave	County Bank	1330 E Shaw Ave
Bank of the Sierra	7029 N Ingram Ave	County Bank	2150 W Shaw Ave
Bank of the West	2035 Fresno St	County Bank	505 N Clovis Ave
Bank of the West	515 E Shaw Ave	County Bank	2705 E Divisadero St
Bank of the West	7062 N 1st St	County Bank	80 E Nees St
Bank of the West	2110 W Shaw Ave	Creative Lending Services	516 W Shaw Ave
Bank of the West	1755 W Bullard Ave	Educational Employees Credit Union	3488 W Shaw Ave
Borrego Springs Bank	1100 W Shaw Ave	Educational Employees Credit Union	1111 Van Ness Ave
California Bank & Trust	5240 N Palm Ave	Educational Employees Credit Union	5640 E Kings Canyon Rd
California Bank & Trust	7060 N Fresno St	Educational Employees Credit Union	455 E Barstow Ave
Capital Source Bank	776 E Shaw Ave	Excel National Bank	6495 N Palm Ave
Central Valley Community Bank	570 S Clovis Ave	Fresno County Federal CU	1250 N Van Ness Ave
Central Valley Community Bank	2404 Tulare St	Fresno County Federal CU	4979 E University Ave
Central Valley Community Bank	8375 N Fresno St	Fresno County Federal CU	4422 W Ashlan Ave
Central Valley Community Bank	7100 N Financial	Fresno County Federal CU	8087 N Cedar Ave
Central Valley Community Bank	5180 N Palm Ave	Fresno County Federal CU	3067 W Bullard Ave
Chase	7160 N 1st St	Fresno First Bank	7690 N Palm Ave
Chase	1380 W Shaw Ave	Fresno First Bank	760 W Nielson Ave
Chase	3751 W Shaw Ave	Fresno Madera Farm Credit	4201 W Shaw Ave
Chase	4848 E Kings Canyon Rd	Fresno Madera Farm Credit	4635 W Spruce Ave
Chase	3681 N Blackstone Ave	Golden 1 Credit Union	111 E Shaw Ave
Chase	7892 N Blackstone Ave	Greater Valley Credit Union	1185 W Hedges Ave
Chase	6761 N Milburn Ave	Greater Valley Credit Union	1901 E Shields
CitiBank	2270 W Shaw Ave	Met Life Bank	5250 N Palm Ave

(Continued on the next page)

Appendix 6: Banking Institutions in the City of Fresno (cont'd)

Name	Address	Name	Address
Murphy Bank	5180 N Palm Ave	United Security Bank	855 M St
Pacific Service Credit Union	102 E Nees St	Valley Business Bank	7391 N Palm Ave
Premier Valley Bank	8355 N Fresno St	Valley Independent Bank	7111 N Fresno St
Professional Business Bank	7110 N Fresno St	VIB Bank of Stockdale	6715 N Palm Ave
Rabobank	6715 N Palm Ave	Wachovia	5210 N Palm Ave
Rabobank	7111 N Fresno St	Wachovia	6646 N Cedar Ave
Rabobank	45 River Park Pl	Chase	796 E Shaw Ave
Security First Bank	3720 N Blackstone Ave	Wells Fargo	5 River Park
Sentinel Trust CO	5755 W Sample Ave	Wells Fargo	1206 Van Ness Ave
State Bank of India	2787 W Shaw Ave	Wells Fargo	2450 N Brawley Ave
State Center Credit Union	1515 E Shaw Ave	Wells Fargo	8405 N Fresno St
State Center Credit Union	2550 Mariposa Mall	Wells Fargo	7014 N Cedar Ave
Tri Counties Bank	7020 North Marks Ave	Wells Fargo	4043 W Clinton Ave
Union Bank of California	2066 W Bullard Ave	Wells Fargo	710 E Shaw Ave
Union Bank of California	6666 N Cedar Ave	Wells Fargo	5750 N 1st St
Union Bank of California	565 E Shaw Ave	Wells Fargo	5642 E Kings Canyon
Union Bank of California	1458 Kern St	Wells Fargo	8420 N Friant
Union Bank of California	7108 N Fresno St	Wells Fargo	3556 E Ventura Ave
Union Bank of California	7075 N Marks Ave	Wells Fargo	2425 N Blackstone
Union Bank of California	3015 W Shaw Ave	Wells Fargo	2508 W Shaw Ave
Union Bank of California	5669 E Kings Canyon	Wells Fargo	6780 N Milburn Ave
Union Bank of California	1069 E Champlain	Westamerica Bank	2440 Tulare St
Union Bank of California	3750 W Shields Ave	Westamerica Bank	7032 N 1st St
United Local Credit Union	3650 E Ashlan Ave	Westamerica Bank	1172 E Shaw Ave
United Local Credit Union	1755 W Bullard Ave	Westamerica Bank	790 W Shaw Ave
United Security Bank	2151 W Shaw Ave	Westamerica Bank	2150 W Shaw Ave
United Security Bank	7088 N 1st St	Westamerica Bank	3006 W Bullard Ave
United Security Bank	1041 E Shaw Ave	Westamerica Bank	4635 W Spruce Ave

Source: Switchboard.com, Yahoo.com

Appendix 7: Photographs

Deterioration and Dilapidation



PHOTO 1
Dilapidated residence on Ivy Avenue.
APN 477 113 06
08660 KG



PHOTO 2
Dilapidated residence on Eunice Ave.
APN 477 113 05
08661 KG



PHOTO 3
Dilapidated residence with failing foundation on Stanislaus Street.
APN 467 166 15
08626 KM



PHOTO 4
Dilapidated residence on Eunice Avenue.
APN 477 114 23
08662 KG

Deterioration and Dilapidation



PHOTO 5
Dilapidated and collapsed building on A Street.
APN 458 230 24
8678 KG



PHOTO 6
Dilapidated residence with unpaved parking area on B Street.
APN 328 171 19
8630 KM



PHOTO 7
Dilapidate residence on B Street
APN 328 172 40
8631 KM



PHOTO 8
Deteriorated residence
APN 479 174 14
8638 KM

Deterioration and Dilapidation



PHOTO 9
Dilapidated residences on Belgravia Avenue.
APN 477 132 02
08654 KG



PHOTO 10
Dilapidated residence with asbestos shingle siding and no foundation.
APN 477 134 17
8650 KG



PHOTO 11
Dilapidated residence
APN 477 134 04
08614 KM



PHOTO 12
Dilapidated residence with failing foundation.
APN 467 166 14
08625 KM

Deterioration and Dilapidation



PHOTO 13
Dilapidated residence on San Joaquin Street.
APN 458 220 26
08710 KG



PHOTO 14
Dilapidated residence
APN 328 150 25
08724 KG



PHOTO 15
Dilapidated residence on Poppy Avenue.
APN 328 150 17
08732 KG



PHOTO 16
Deteriorated residence on Santa Clara Street.
APN 477 114 06
08665 KG

Deterioration and Dilapidation



PHOTO 17
Dilapidated residence on Belgravia Avenue.
APN 328 252 15
08741 KG



PHOTO 18
Dilapidated residence on Florence Avenue.
APN 328 252 12
08742 KG



PHOTO 19
Deteriorated residence on C Street.
APN 465 125 15
08694 KG



PHOTO 20
Dilapidated residence on Samson Avenue.
APN 328 150 13
8730 KG

Deterioration and Dilapidation



PHOTO 21
Deteriorated residence on Valencia Avenue.
APN 329 161 22
08748 KG



PHOTO 22
Dilapidated residence with asbestos shingle siding.
APN 478 134 15
08757 KG



PHOTO 23
Deteriorated residence on California Ave.
APN 478 201 12
1464 AY



PHOTO 24
Deteriorated residence on Banneker Avenue.
APN 478 144 21
1474 AY

Deterioration and Dilapidation



PHOTO 25
Dilapidated residence with tar paper roof and missing window on Inyo Street.
APN 464 192 05
0074 JL



PHOTO 26
Dilapidated residence with windows, siding and roofing in need of repair on Lorena Avenue.
APN 478 182 23



PHOTO 27
Dilapidated residence with a broken garage door and foundation in need of repair.
APN 478 240 29
1517 AY



PHOTO 28
Dilapidated residence on Lotus Avenue.
APN 464 121 33
08707 KG

Deterioration and Dilapidation



PHOTO 29
Dilapidated residence lacking a proper foundation and with walls in need of repair on Lorena Avenue
APN 478 182 24
1501 AY



PHOTO 30
Dilapidated residence with deteriorated roof and failing foundation on Calaveras Avenue.
APN 467 213 08
8627 KM



PHOTO 31
Dilapidated residence on Atchison Avenue.
APN 478 253 12
1504 AY



PHOTO 32
Dilapidated residence on Elm Avenue.
APN 478 311 23
1505 AY

Deterioration and Dilapidation



PHOTO 33
Dilapidated residence on Thorne Avenue.
APN 467 232 11
1518 AY



PHOTO 34
Dilapidated residence
APN 467 172 13
1527 AY



PHOTOS 35 and 36
Two of three dilapidated residences for sale on Lemon Avenue. Residence on the right is in need of repairs to the foundation.
APN 467 116 03

Deterioration and Dilapidation



PHOTO 37
Dilapidated residence on Elm Avenue.
APN 467 192 10
1543 AY



PHOTO 38
Dilapidated residence on Tupman Ave.
APN 465 172 08
1573 AY



PHOTO 39
Dilapidated residence on Oleander Ave.
APN 465 171 17
1577 AY



PHOTO 40
Dilapidated residence on C Street.
APN 465 174 06
1579 AY

Deterioration and Dilapidation



PHOTO 41
Dilapidated residence on North Avenue.
APN 467 155 04
1585 AY



PHOTO 42
Dilapidated residence.
APN 464 171 03
1614 AY



PHOTO 43
Dilapidated residence with asbestos shingle siding.
APN 464 142 19
1613 AY



PHOTO 44
Dilapidated residence
APN 464 080 09
1614 AY

Deterioration and Dilapidation



PHOTO 45
Dilapidated residence on Almy Ave.
APN 465 216 04
1566 AY



PHOTO 46
Dilapidated storage building on Thorne Avenue.
APN
8737 KG



PHOTO 47
Dilapidated residence with deteriorated siding and a foundation in need of repair.
APN 478 261 15
0028 JL



PHOTO 48
Dilapidated residence with foundation and exterior siding in need of repair on Ivy Avenue.
APN 478 133 15
0030 JL

Deterioration and Dilapidation



PHOTO 49
Dilapidated residence on Ivy Avenue.
APN 478 252 17
0031 JL



PHOTO 50
Dilapidated residence.
APN 478 065 09
0040 JL



PHOTO 67
Dilapidated residence with a porch of substandard construction, and cracks and holes in the exterior walls on Martin Luther King Jr. Boulevard.
APN 467 233 01
0043 JL



PHOTO 52
Dilapidated residence with a foundation in need of repair on Tupman Avenue.
APN 467 166 13
0046 JL

Deterioration and Dilapidation



PHOTO 53

Dilapidated residence with a foundation in need of repair on Tupman Avenue.

APN 467 165 11

0047 JL



PHOTO 54

Dilapidated residence with foundation and retaining wall in need of repair on Tupman Avenue.

APN 467 165 16

0050 JL



PHOTO 55

Dilapidated residence with foundation, roof and exterior walls in need of repair.

APN 465 193 10

0071 JL



PHOTO 56

Dilapidated residence with asbestos siding, damaged walls and foundation, and a substandard addition on C Street.

APN 464 191 06

0073 JL

Deterioration and Dilapidation



PHOTO 57
Dilapidated commercial building
APN 326 150 036
8740 KG



PHOTO 58
Deteriorated commercial/industrial building with open
storage and unpaved parking on Stanislaus Street.
APN 328 150 38
8723 KG



PHOTO 59 and 60
Dilapidated and obsolete mixed use (commercial and residential) building on Poppy Avenue.
APN 467 184 08
8715 and 8716 KG

Deterioration and Dilapidation



PHOTO 61 and 62
Dilapidated and obsolete industrial buildings on Tielman Avenue.
APN 328 211 28
8720 and 8721 KG



PHOTOS 63 and 64
Dilapidated and obsolete commercial buildings.
APN 328 150 10
8727 through 8729 KG

Boarded and Abandoned Buildings



PHOTO 65
Dilapidated commercial building.
APN 479 211 10
8746 KG



PHOTO 66
Dilapidated, abandoned commercial building on North
Avenue.
APN 467 246 01
1544 AY



PHOTO 67
Dilapidated, obsolete commercial building on Samson Ave.
APN 467 251 08
1545 AY



PHOTO 68
Dilapidated, obsolete commercial building with structural
problems (walls of the building appear to be leaning) on
Bardell Avenue.
APN 465 172 15
1574 AY

Boarded and Abandoned Buildings



PHOTO 69
Dilapidated residence on C Street.
APN 465 213 15
0067 JL



PHOTO 70
Dilapidated residence on Oleander Avenue.
APN 464 113 13
08704 KG



PHOTOS 71 and 72
Dilapidated, abandoned residence with holes in the foundation and adjacent failing retaining wall on Holly Avenue. A portion of the building has been demolished. Dilapidated structures are visible behind the building.
APN 458 230 01
08682, 08684 KG

Boarded and Abandoned Buildings



PHOTO 73
Dilapidate residence on Woodward Avenue.
APN 328 150 36
08739 KG



PHOTO 74
Dilapidated, boarded up residence on B Street.
APN 458 212 36
08686 KG



PHOTO 75
Dilapidated residence on Teilman Avenue.
APN 479 211 10
08744 KG



PHOTO 76
Dilapidated residence on Atchison Street.
APN 478 252 08
1502 AY

Boarded and Abandoned Buildings



PHOTO 77
Dilapidated, abandoned commercial building on Modoc St.
APN 4641 111 04
8709 KG



PHOTO 78
Deteriorated and obsolete commercial buildings on Whites-bridge Avenue..
APN 329 161 46
8670 KG



PHOTO 79 and 80
Abandoned, dilapidated manufacturing facility. The building was occupied by squatters at the time of the field survey.
APN 477 054 11
8675 and 8676 KG



Boarded and Abandoned Buildings



PHOTO 81
Dilapidated, boarded-up residence on North Ave.
APN 478 181 07
1509 AY



PHOTO 82
Dilapidated, boarded-up apartments.
APN 478 066 05
1514 AY



PHOTO 83
Fire-damaged dilapidated residence
APN 478 083 32
1473 AY



PHOTO 84
Fire-damaged dilapidated residence on Lotus Ave.
APN 478 082 20
1480 AY

Boarded and Abandoned Buildings



PHOTO 85
Dilapidated, boarded-up residence.
APN 467 184 14
1521 AY



PHOTO 86
Deteriorated residence with foundation and roof in need of repair on Elm Avenue.
APN 467 214 07
1541 AY



PHOTO 87
Dilapidated, boarded up residence on Fruit Avenue.
APN 465 191 05
1571 AY



PHOTO 88
Dilapidated residence on Holly Avenue.
APN 465 232 13
1563 AY

Boarded and Abandoned Buildings



PHOTO 89
Dilapidated, boarded up residence on Chandler Ave.
APN 464 192 14
1615 AY



PHOTO 90
Dilapidated, boarded up residence on Ivy Avenue.
APN 478 261 16
0027 JL

Vacant and Underutilized Parcels



PHOTO 91
Vacant/underutilized lot being used to store rusted vehicles.
APN 479 262 20
8669 KG



PHOTO 92
Vacant lot on Atchison Ave.
APN 478 083 38
1470 AY



PHOTO 93
Vacant lot on California Avenue.
APN 478 083 32
1473 AY



PHOTO 94
Vacant, underutilized property on California Ave.
APN 4780 083 37
1472 AY

Vacant and Underutilized Parcels



PHOTO 395 and 96

Illegal dumping that has occurred on a vacant lot on Tulare Street. Photo on the right is a close up of the dumped material at the rear of the property.

APN 465 193 03

1569 and 1570 AY



PHOTO 97

Vacant, underutilized property on Cobb Avenue.

APN 479 262 19

8668 KG



PHOTO 98

Vacant lot on Atchison Avenue.

APN 478 253 13

1503 AY

Vacant and Underutilized Parcels



PHOTO 99
Vacant property with dumping and debris on A Street.
APN 458 230 23
8683 KG



PHOTO 100
Vacant lot.
APN 467 156 02
1586 AY



PHOTO 101
Vacant lot with dumping at the rear of the property on Lily Avenue..
APN 477 124 18
8617 KM



PHOTO 102
Vacant lot on Geary Street.
APN 478 182 15
1498 AY

Vacant and Underutilized Parcels



PHOTO 103
Vacant lot on Elm Street.
APN 478 173 03
1508 AY



PHOTO 104
Vacant lot.
APN 467 301 54
1511 AY



PHOTO 105
Vacant lot.
APN 467 301 37
0037 JL



PHOTO 106
Vacant lot on Dorothy Street.
APN 465 251 05
1562 AY

Vacant and Underutilized Parcels



PHOTO 107
Vacant lot on Lemon Avenue.
APN 467 173 12
1528 AY



PHOTO 108
Vacant lot on C Street.
APN 465 174 02
1580 AY



PHOTO 109
Vacant lot.
APN 467 186 09
1520 AY



PHOTO 110
Vacant lot on San Joaquin Street.
APN 467 172 23
1525 AY

Vacant and Underutilized Parcels



PHOTO 111

APN 467 172 15
1526 AY



PHOTO 112

Vacant lot on Oleander Avenue.
APN 465 171 05
1576 AY



PHOTO 113

Vacant lot on Lemon Avenue.
APN 467 172 19
1530 AY



PHOTO 114

Vacant lot on Whitesbridge Avenue.
APN 467 172 21
1531 AY

Vacant and Underutilized Parcels



PHOTO 115
Vacant lot.
APN 465 174 01
1581 AY



PHOTO 116
Vacant lot on Almy Avenue.
APN 465 215 03
1565 AY



PHOTO 117
Vacant lot.
APN 465 172 02
1582 AY



PHOTO 118
Vacant lot on Amador St.
APN 467 114 02
1538 AY

Vacant and Underutilized Parcels



PHOTO 119
Vacant lot on A Street
APN 465 172 16
1575 AY



PHOTO 120
Vacant lot on Elm Street.
APN 465 215 02
1564 AY



PHOTO 121
Vacant lot on Fresno Street.
APN 465 171 14
1578 AY

Appendix 8: Draft 2010 – 2014 Implementation Plan

Redevelopment Agency of the City of Fresno

**MERGER NO. 2
MULTI-PROJECT
FIVE YEAR AB 1290 IMPLEMENTATION
PLAN
2010 - 2015**

July 2010

**MERGER NO. 2
MULTI-PROJECT
FIVE YEAR AB 1290
IMPLEMENTATION PLAN**

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1.0 INTRODUCTION

1.1 OVERVIEW

The Five Year AB 1290 Implementation Plan offers an overview of how the Redevelopment Agency of the City of Fresno (the "Agency") intends to utilize its financial resources over the next five years, and specifically, how these expenditures will serve to eliminate physical and economic blight in the redevelopment project areas (individually a "Project Area" and collectively the "Project Areas") covered in this Implementation Plan (hereafter the "Implementation Plan" or the "Plan"). The Plan requirements became California Law following the passage of Assembly Bill 1290 in 1993.

This Implementation Plan update includes two Redevelopment Project Areas in the Merger No. 2 Project Area which include the Fruit/Church and the South West Fresno Redevelopment Project Areas (the "Merger 2 Project Area" and "Constituent Project Areas").

The Implementation Plan plays an important role in Fresno's overall economic development strategy and provides an opportunity for the Agency to display its past successes, detail its current economic development incentive programs, and look toward the future in terms of addressing community needs. The Implementation Plan represents a valuable working document that will be a useful reference for the public in the years to come.

The Agency has realized the need to target economic development activities toward job growth, expansion and diversification of the tax base, business attraction and retention, revitalization of commercial and industrial areas, and the provision of affordable housing. Toward these ends, the Constituent Redevelopment Plans (individually "Redevelopment Plan" and collectively the "Constituent Redevelopment Plans") governing the individual Project Areas contain language pertaining to the achievement of specific economic development goals and objectives.

Redevelopment is most effective as an incentive to the extent that it can be fully integrated into a comprehensive community economic development strategy. The Agency's revitalization program exemplifies essential elements where business and government can actively work together toward the attainment of common economic development goals. The Agency's Five-Year Implementation Plan provides another important part, serving as a blueprint for long-term planning in this critical area.

1.2 REGULATORY REQUIREMENTS

These Implementation Plans meet the requirements of Section 33490 of the California Community Redevelopment Law, Health and Safety Code Sections 33000 et seq. (the "Law") added by adoption of Assembly Bill 1290 in 1993, and amended by Senate Bill 732 in 1994. Section 33352 requires that an implementation plan be included in the Report to Council when a redevelopment plan is adopted on or after January 1, 1994.

Thereafter, Section 33490 (b) requires that the redevelopment agency, for each implementation plan prepared pursuant to subdivision c) of Section 33352, for which the redevelopment plan was adopted, to adopt an implementation plan every five years beginning with the fifth year after the redevelopment plan was adopted. A redevelopment agency may adopt implementation plans that include more than one project area. This Implementation Plan is the fourth, five-year implementation plan for the Constituent Project Areas

Pursuant to Section 33490, this Implementation Plan presents:

- Agency goals and/or objectives for all Project Areas;
- Agency specific programs, including potential projects with estimated expenditures planned for the next five years for each Project Area;
- An explanation of how these goals, objectives, projects, and expenditures will eliminate blight in the Project Areas;
- An explanation of how these specific goals, objectives, projects, and expenditures will increase and improve the supply of housing affordable to very low, low, and moderate income households, and
- A housing program which identifies:
 - Current funds available in, and projected deposits to, the 20 percent set aside Housing Fund (the "Housing Fund");
 - The number of new, rehabilitated, or price-restricted housing units to be developed or purchased both over the life of the Plan and during the next ten years, and the number of such units of very low, low, and moderate income households required to be developed to comply with Section 33413(b)(2) of the Law;
 - Estimates of the number of Agency-developed units that will be developed during the next five years and will be governed by Section 33413(b)(1) of the Law, and the number of such units for very low, low, and moderate income households are included pursuant to Section 33333.10, when and if the Proposed Merger 2 Plan Amendments are approved and adopted;
 - How the Agency will meet its housing responsibilities for the Redevelopment Plans that are within six years of the time limit on the effectiveness of the Redevelopment Plan;
 - Status of the Agency's obligations for the provision of replacement housing; further, estimates of the future obligations for fulfilling housing production (inclusionary) requirements are included pursuant to Section 33333.10, when and if the Proposed Merger 2 Plan Amendments are adopted;

Proposed locations for replacement housing the Agency may be required to produce if a redevelopment implementation project will result in destruction or removal of existing affordable housing.

The Project Area Boundaries are shown on Figure 1 in Chapter III of the Preliminary Report. Tax increments for all of the Agency's Project Areas for FY 2009-2010 are shown in the following Table 1-1. A complete list of revenues for all of the Agency's Project Areas for the past five years is contained in Attachment A to this Implementation Plan.

Table 1-1: Tax Increments and Housing Set Asides for all Project Areas (2009-2010)

Project	Total Tax Increment	Admin Fees	Pass Thru Amt's	SERAF Payment	Net Incr Received	Housing Set Aside @20 percent	Net Increment After 20 percent HS
CBD	\$911,412.44	\$12,348.56	\$133,806.46	\$310,786.86	\$454,470.56	\$182,282.49	\$272,188.07
Fruit Church	543,525.46	7,445.56	34,216.38	161,758.70	340,104.82	108,705.09	231,399.73
Mariposa	1,195,826.62	17,045.56	88,858.14	449,628.95	640,293.97	239,165.32	401,128.65
Southwest Fresno	3,116,891.36	52,985.56	239,214.72	1,121,261.68	1,703,429.40	623,378.27	1,080,051.13
West Fresno #1	236,435.84	3,365.56	12,370.34	77,898.26	142,801.68	47,287.17	95,514.51
West Fresno #2	980,758.48	13,716.56	19,829.74	343,051.34	604,160.84	196,151.70	408,009.14
Convention Center	1,023,132.90	14,263.56	83,692.26	351,268.31	573,908.77	204,626.58	369,282.19
Jefferson	558,748.02	9,482.56	37,325.18	213,994.25	297,946.03	111,749.60	186,196.43
Chinatown	128,774.42	2,842.56	2,840.68	64,204.97	58,886.21	25,754.88	33,131.33
West Fresno Rehab	71,616.70	35.56	7,674.24	16,463.62	47,443.28	14,323.34	33,119.94
Air Terminal	235,720.74	6,704.02	82,915.42	52,550.06	93,551.24	47,144.15	46,407.09
Roeding Bus Park	895,184.30	15,869.02	169,300.10	278,216.43	431,798.75	179,036.86	252,761.89
South Van Ness	544,402.52	6,527.56	77,637.38	86,885.58	373,352.00	108,880.50	264,471.50
Fulton	590,271.22	6,403.02	105,762.90	165,751.08	312,354.22	118,054.24	194,299.98
Airport Area	2,695,249.06	33,404.02	539,099.02	855,910.12	1,266,835.90	539,049.81	727,786.09
Southeast Fresno	3,024,016.96	43,537.02	604,839.64	768,664.54	1,606,975.76	604,803.39	1,022,172.37
South Fresno Ind	1,770,279.80	24,464.02	354,055.94	425,070.19	966,689.65	354,055.96	612,633.69
Central City	1,085,151.46	15,140.56	150,633.06	265,938.49	653,439.35	217,030.29	436,409.06
Corr 99/Gold State	2,445,312.18	41,032.02	345,569.90	726,898.57	1,331,811.69	489,062.44	842,749.25
Total	\$22,052,710.48	\$326,612.86	\$3,089,641.50	\$6,736,202.00	\$11,900,254.12	\$4,410,542.10	\$7,489,712.02

2.0 MERGER NO. 2 IMPLEMENTATION PLAN

2.1 INTRODUCTION

The Merger No. 2 Project Area includes the Fruit/Church and the Southwest Fresno (aka, "Southwest Fresno GNRA") Constituent Project Areas.

Fruit/Church: The Fruit Church Redevelopment Project Area incorporates 143 acres generally bounded by California, Fruit, Church and West Avenues, except for a portion adjacent to Fruit Avenue and south of Old Church Road. The Project Area was adopted in October 1971.

Southwest Fresno: The Southwest Fresno Project Area covers approximately 1,800 acres and is generally bounded by the proposed Freeway 180 on the north, South Fruit Avenue on the west, Freeway 99 on the east, and Church Avenue on the south. It also includes a corridor extending south from Church Avenue along Elm Avenue to the North Central Canal. The Project Area was adopted in January 1969.

A Table containing the current Time and Financial limits and the Time and Financial limits as proposed for amendment in the Proposed Merger No. 2 Plan Amendments is contained in Table 2 in Chapter II of the Preliminary Report.

2.2 SUMMARY OF BLIGHTING CONDITIONS

A description of the Significant Remaining Blight is contained within Chapter IV, Subsections C., D., and E of the Preliminary Report.

2.3 GOALS AND OBJECTIVES

The goals and objectives of the Merger No. 2 Project are described in Chapter II, Section C., of the Preliminary Report.

2.4 RECENT REDEVELOPMENT ACCOMPLISHMENTS

A description of the Agency's recent redevelopment accomplishments during the previous five years of the Implementation Plan are contained in Chapter III, Section F. of the Preliminary Report.

2.5 PROGRAMS AND PROJECTS

A description of the Agency's Programs and Projects is contained within Chapter V, Section A., of the Preliminary Report.

Financing Methods Available to the Agency

Based on the projections in Table 2-1 of this Implementation Plan, the Agency will have sufficient income to support planning, Agency administration, and program implementation in the next five years of the proposed Implementation Plan's Redevelopment Program. In years 20010-2015, the Agency is projected to have approximately \$19,644,451 in net tax increments (after pass-through payments and housing set-aside funds). The Agency will use approximately 50 percent of these funds for the Project Area Improvements Program. Approximately 20% of these funds will be used for the Land Assembly Program. Approximately 20% of these funds will be used for the Business Revitalization and Attraction Program. The remaining 10% will be utilized for the Administration and Planning Program. A description of the Agency's Programs and Projects is contained within Chapter V., Section A. and B., of the Preliminary Report.

The Implementation Plan is prepared with the intent of providing the Agency with the necessary

legal authority and flexibility to implement the revitalization of the Merger 2 Project. The Plan authorizes the Agency to finance the Project with financial assistance from any or all of the following sources: (1) City of Fresno; (2) State of California; (3) federal government; (4) tax increment funds in accordance with provisions of the Law; (5) Agency bonds; (6) interest income; (7) loans from private financial institutions; (8) lease or sale of Agency-owned property; (9) donations; and (10) any other legally available public or private sources.

Current provisions of the Law provide authority to the Agency to create indebtedness, issue bonds, borrow funds or obtain advances in implementing and carrying out the specific intents of a redevelopment plan. The Agency is authorized to fund the principal and interest on the indebtedness, bond issues, borrowed funds or advances from tax increment revenue and any other funds available to the Agency. To the extent that it is able to do so, the City may also supply additional assistance through City loans or grants for various public facilities or other project costs.

Potential revenue sources to fund project costs, as assumed in the economic feasibility cash flow, include, but are not limited to, the following: (1) tax increment revenues; (2) proceeds from tax allocation bonds; (3) land sale and lease proceeds and (4) interest earnings. The estimated resources available to finance the proposed redevelopment programs are summarized in the following Table 2-2.

Table 2-2 Proposed Five-Year Program Funds and Expenditures

Administration and Planning	\$ 1,964,446
Land Assembly	3,928,890
Project Area Improvements	9,822,225
Business Revitalization and Attraction	<u>3,928,890</u>
Subtotal for Non-Housing Programs	\$19,644,451
Subtotal for Housing Programs	<u>5,540,000</u>
TOTAL AGENCY PROGRAM EXPENDITURES	\$25,184,451

Funds for the programs are anticipated as follows:

Tax Increment (estimated carryover)	\$ 5,615,347
New Tax Increment	11,804,104
Sale, Lease, and Loan Proceeds	<u>2,225,000</u>
Subtotal for Non-Housing Programs	\$19,644,451
Subtotal for Housing Programs	<u>5,540,000</u>
TOTAL AGENCY FUNDS AVAILABLE	\$25,184,451

2.6 HOW THE PROJECTS AND PROGRAMS WILL ELIMINATE REMAINING BLIGHT

A description is contained within Chapter V. Section B., and further described in Table 24: "Blighting Conditions and the Projects and Programs to Alleviate Blight", in Chapter V. Section B of the Preliminary Report.

3.0 AFFORDABLE HOUSING PROGRAM

3.1 OVERVIEW - This chapter will address the requirements of California Redevelopment Law (CRL) pertaining to the use of the Low and Moderate Income Housing Fund (the "Housing Fund") for the Merger No. 1 Redevelopment Project Areas.

Section 33490 (a)(2) requires that Implementation Plan's Affordable Housing Program contain the following components:

- (A) A portion of the implementation plan shall address the agency housing responsibilities and shall contain a section addressing Project Areas amended pursuant to Section 33333.10, if applicable, and Sections 33334.2, 33334.4, and 33334.6, the Low and Moderate Income Housing Fund, and, if subdivision (b) of Section 33413 applies, a section addressing agency developed and project area housing. The section addressing the Low and Moderate Income Housing Fund shall contain:
- (i) The amount available in the Low and Moderate Income Housing Fund and the estimated amounts which will be deposited in the Low and Moderate Income Housing Fund during each of the next five years.
 - (ii) A housing program with estimates of the number of new, rehabilitated, or price restricted units to be assisted during each of the five years and estimates of the expenditures of moneys from the Low and Moderate Income Housing Fund during each of the five years.
 - (iii) A description of how the housing program will implement the requirement for expenditures of moneys in the Low and Moderate Income Housing Fund over a 10-year period for various groups as required by Section 33334.4. For project areas to which subdivision (b) of Section 33413 applies, the 10-year period within which Section 33334.4 is required to be implemented shall be the same 10-year period within which subdivision (b) of Section 33413 is required to be implemented. Notwithstanding the first sentence of Section 33334.4 and the first sentence of this clause, in order to allow these two 10-year time periods to coincide for the first time period, the time to implement the requirements of Section 33334.4 shall be extended two years, and project areas in existence on December 31, 1993, shall implement the requirements of Section 33334.4 on or before December 31, 2014, and each 10 years thereafter rather than December 31, 2012. For project areas to which subdivision (b) of Section 33413 does not apply, the requirements of Section 33334.4 shall be implemented on or before December 31, 2014, and each 10 years thereafter.
 - (iv) This requirement to include a description of how the housing program will implement Section 33334.4 in the implementation plan shall apply to implementation plans adopted pursuant to subdivision (a) on or after December 31, 2002.
- (B) For each project area to which subdivision (b) of Section 33413 applies, the section addressing the agency developed and project area housing shall contain:
- (i) Estimates of the number of new, substantially rehabilitated or price restricted residential units to be developed or purchased within one or more project areas, both over the life of the plan and during the next 10 years.

(ii) Estimates of the number of units of very low, low-, and moderate- income households required to be developed within one or more project areas in order to meet the requirements of paragraph (2) of subdivision (b) of Section 33413, both over the life of the plan and during the next 10 years.

(iii) The number of units of very low, low-, and moderate-income households which have been developed within one or more project areas which meet the requirements of paragraph (2) of subdivision (b) of Section 33413.

(iv) Estimates of the number of agency developed residential units which will be developed during the next five years, if any, which will be governed by paragraph (1) of subdivision (b) of Section 33413.

(v) Estimates of the number of agency developed units for very low, low-, and moderate-income households which will be developed by the agency during the next five years to meet the requirements of paragraph (1) of subdivision (b) of Section 33413.

(C) The section addressing Section 33333.10, if applicable, and Section 33334.4 shall contain all of the following:

(i) The number of housing units needed for very low income persons, low- income persons, and moderate-income persons as each of those needs have been identified in the most recent determination pursuant to Section 65584 of the Government Code, and the proposed amount of expenditures from the Low and Moderate Income Housing Fund for each income group during each year of the implementation plan period.

(ii) The total population of the community and the population under 65 years of age as reported in the most recent census of the United States Census Bureau.

(iii) A housing program that provides a detailed schedule of actions the agency is undertaking or intends to undertake to ensure expenditure of the Low and Moderate Income Housing Fund in the proportions required by Section 33333.10, if applicable, and Section 33334.4

(iv) For the previous implementation plan period, the amounts of Low and Moderate Income Housing Fund moneys utilized to assist units affordable to, and occupied by, extremely low income households, very low income households, and low-income households; the number, the location, and level of affordability of units newly constructed with other locally controlled government assistance and without agency assistance and that are required to be affordable to, and occupied by, persons of low, very low, or extremely low income for at least 55 years for rental housing or 45 years for homeownership housing, and the amount of Low and Moderate Income Housing Fund moneys utilized to assist housing units available to families with children, and the number, location, and level of affordability of those units.

Section 33490 (a)(3) requires that the Implementation Plan's Affordable Housing Program contain the following:

If the implementation plan contains a project that will result in the destruction or removal of dwelling units that will have to be replaced pursuant to subdivision (a) of Section 33413, the implementation plan shall identify proposed locations suitable for those replacement dwelling

units.

Section 33490 (a)(4) requires that the Implementation Plan's Affordable Housing Program contain the following:

For a project area that is within six years of the time limit on the effectiveness of the redevelopment plan established pursuant to Section 33333.2, 33333.6, 33333.7 or 33333.10, the portion of the implementation plan addressing the housing responsibilities shall specifically address the ability of the agency to comply, prior to the time limit on the effectiveness of the redevelopment plan, with subdivision (a) of Section 33333.8, subdivision (a) of Section 33413 with respect to replacement dwelling units, subdivision (b) of Section 33413 with respect to project area housing, and the disposition of the remaining moneys in the Low and Moderate Income Housing Fund.

3.2 LOW AND MODERATE INCOME HOUSING FUND

Table 3-1 shows housing set-aside accumulations for the past five years in all of the Agency's Redevelopment Project Areas.

Table 3-1: Housing Fund – All Project Areas, FY 2005 - 06 thru FY 2009 - 10

<u>Year</u>	<u>20 Percent Housing Set-Aside</u>
2005-2006	\$ 2,953,782.24
2006-2007	\$ 3,509,427.27
2007-2008	\$ 4,220,372.58
2008-2009	\$ 4,428,784.73
<u>2009-2010</u>	<u>\$ 4,410,542.10</u>
TOTAL	\$ 19,522,908.92

As shown in Table 1-1, the two Project Areas in Merger No. 2 contributed \$732,083.36 or 16.6% of the total Housing Fund contribution of \$4,410,542.10 in FY 2009-2010.

In the following Table 2-1 are estimates that the Merger No. 2 Project Areas will contribute a total of \$5,540,000 over the next five years to the Housing Fund, an average increase of \$112,000 per year. The increased contribution rate of 30% by the proposed Merger No. 2 Plan Amendments for the two Constituent Project Areas would be effective starting in FY 2011-12, if the Proposed Merger No. 2 Plan Amendments are adopted, and are shown in the following Table 2-2. Over the five-year Implementation Plan period, the Southwest Fresno Constituent Project Area is the largest contributor from the Merger No. 2 Project Areas to the Housing Fund, accounting for nearly 85 percent of the total Merger No. 2 Set-aside Funds.

Table 2-1: Projected Tax Increments and Housing Set Aside Fund for FY 2010-11 thru FY 2014-15

NET TAX INCREMENTS ¹							
	2009-10 Estimated	2010-11	2011-12	2012-13	2013-14	2014-15	Total 5-yr
Merger 2 Project Area							
Fruit-Church	\$388,000	\$353,729**	\$346,000	\$358,000	\$370,000	\$380,000	\$1,807,729
SW Fresno GNRA	\$2,129,000	\$1,915,375**	\$1,911,000	\$1,985,000	\$2,061,000	\$2,124,000	\$9,996,375
Total	\$2,517,000	\$2,269,104**	\$2,257,000	\$2,343,000	\$2,431,000	\$2,504,000	\$11,804,104
HOUSING SET ASIDE @20 percent & 30 percent**							
Merger 1 Project Area							
Fruit-Church	\$109,000	\$109,000	\$169,000*	\$176,000*	\$183,000*	\$191,000*	\$828,000
SW Fresno GNRA	\$614,000	\$613,000	\$960,000*	\$1,002,000*	\$1,046,000*	\$1,091,000*	\$4,712,000
Total	\$723,000	\$722,000	\$1,129,000*	\$1,178,000*	\$1,229,000*	\$1,282,000*	\$5,540,000

¹ Net of administration fees, pass-through payments, housing set aside, and **SERAF Payment.

**Housing Set-Aside at 30%

3.3 PROPOSED AFFORDABLE HOUSING PROGRAM

Over the next five years, the Agency plans to implement the following Merger No. 2 Housing Program with projects involving a range of new housing construction, substantial rehabilitation (involving large site developments and infill sites), mixed use housing, and neighborhood infill involving primarily single family dwellings, as well as several multi-family projects in order to further the goals for revitalization of the Constituent Project Areas in Merger No. 2.

Proposed Affordable Housing Projects

Sequoia Village/EAH Housing - Through a negotiated agreement with Sequoia Health, the Agency received 7.5 acres of vacant land on Annadale Avenue, just west of Elm Avenue. In FY 07/08, the Agency issued a Request for Proposals for a potential housing development on the property. The Agency Board approved the Agency's selection of EAH Housing and the Agency entered into an ENA with EAH on November 16, 2008.

Agency staff has worked with the Developer to coordinate pre-planning activities with City staff including preparation of the entitlement application. During the time the project Site Plan application was submitted to the City, the Developer had an opportunity to acquire the sole single family home within the project footprint that caused the project site to be very inefficient and irregular. The acquisition occurred in October, 2009 with Agency financial assistance. The Agency will receive title to the property from EAH if the project does not move forward. The acquisition has prompted a redesign and amended entitlement application; acquisition of the single family home and a reworking of the project financing in anticipation of submitting a 9% LIHTC application are still necessary.

The project would address the demand for needed senior housing. The development would also be the first PACE (Program of All-inclusive Care for the Elderly) in the Central Valley. EAH has incorporated the PACE component into this project and is currently evaluating its project feasibility.

In April, 2010 EAH provided additional information to the Agency regarding their entitlement and financing status. The project faces significant challenges due to the inability to secure either Prop 1C (Urban Infill Grant) funds or Project-based Section 8 vouchers from the Housing Authority. In response, EAH now contemplates dividing the project into two separate projects – a family and a senior project – and undertaking separate design, entitlement, and financing tracks for either in

order to make the gap financing affordable to the Agency and to increase its chances for full tax credit fund through the competitive application rounds.

Given the current tax credit funding environment, EAH contemplates that the development of this project would be done in phases over the next several years, segregating the senior housing project from the family project. One of the conditions of approval of the project, required by the City, is to construct a domestic water well to support the development of the housing project. EAH wants support to push that requirement until the development of the second phase, senior housing. The funds requested would support the pre-development activities of both phases of the project, at \$497,830 for the senior project and \$497,780 for the family project.

Southwest Fresno Infill Housing - California Triangle - The Agency and Housing Authority partners have nearly completed the acquisition of properties in the project area referred to as the California Triangle, an area bounded by Kern, Waterman and California Streets within the Southwest Redevelopment Area. All residents in this area were relocated to improved housing. The project site consists of approximately three acres divided into a number of parcels. The Housing Authority completed acquisition of a property at 864 S. Klette Street in June 2008, and the house is slated to be relocated to another infill lot in the neighborhood, then rehabilitated and sold to a low-moderate income family. A local non-profit will use the house as a training lab for their construction trade students.

Two parcels in the original footprint remain to be acquired. These have clouded title issues as there are various claims of ownership. As of this date, the Housing Authority has approval from three of the four owners and is searching for the final owner on one of the parcels. They expect to have acquisition completed in 2010. In addition, the Housing Authority is acquiring the former County Library property in the California Triangle from Fresno County, with the Housing Authority taking the lead in the documents on behalf of the Agency.

In addition to the property acquisition, the Agency has budgeted funds for California Avenue improvements from Martin Luther King Boulevard to Walnut Avenue in connection with the California Triangle Project.

Once all of the acquisition is complete, the Agency will publish a Request for Qualifications (RFQ) seeking developers for a mixed-use or mixed-income project.

Edison Plaza Partners, LLC - Through a Request for Proposals process, the Agency Board selected Edison Plaza Partners, LLC to develop a 20 acre site in Southwest Fresno, just west of Edison High School. The project was to be in two phases: in February 2010 the developer completed the first phase with the opening of the One Stop Center, a County Library and human services center, on the first 10 acres. They have proposed a total of 280 large-family (3- and 4 bedroom) units on the remaining 10 acres, with the first half of that (140 units) proposed for entitlement and financing in Fiscal Year 2010-11. The developer has proposed the use of tax-exempt bonds and 4% Low Income Housing Tax Credits, due to the extremely competitive environment statewide for the more attractive 9% Tax Credits.

This mechanism would leave the project with a \$50,000 per-unit gap to be filled with local (Agency) funds. That will result in a request for approximately \$7,000,000 in Agency assistance for the first 140 units, plus construction by the Agency of the off-site improvements, as was done for the first phase project (the One Stop Center).

Additionally, the project will also contain a new 11,000 s.f. Head Start building to be leased to the EOC, the operator of the Head Start program.

Habitat for Humanity -- Habitat for Humanity Fresno was awarded funds in 2010 from Habitat International to hire a Neighborhood Stabilization Programs Coordinator. International wants affiliates to be more focused on new house construction as a part of overall neighborhood revitalization i.e. multiple unit new house as the centerpiece supported by near-by new house in-fill, minor rehabilitation along with other community development work like community gardens, community centers, etc. South Clara Estates was what they want to do in future projects also. Habitat has requested from the Agency \$15,000 per lot for four lots on Almy Street in Southwest Fresno. These homes would be added to their efforts in South Clara Estates. They would want to build these lots at the end of 2011 or early 2012 but would need to purchase them in 2010 to prepare them for construction.

Housing Authority Contract/Community Housing Partnership Program (CHPP) - The Agency's multi-year Community Housing Partnership Program (CHPP) agreement with the Housing Authorities of the City and County of Fresno provides for minor and major rehabilitation of low- and moderate-income, owner-occupied housing in designated target areas of the City. Several contract amendments have expanded target areas and increased the funding for aggressive programs to attack blight caused by boarded-up houses and neglected vacant land. Since July 2000, 1,643 homes have received minor and major rehabilitation and, from boarded up or vacant lots, approximately 25 homes have been built or reconstructed to provide infill housing. In FY 09/10, it is expected that approximately 62 homes will have been rehabilitated and two reconstructed.

1511 and 1515 "B" Street -- The CHPP acquired lots at 1511 and 1515 "B" Street in southwest Fresno. The process to create two parcels has been completed. The timing for development will be influenced by market conditions.

Following in Table 3-2 are estimated Housing Expenditures and estimated Housing Development Units for the Agency's Proposed Affordable Housing Program for each of the five years of the proposed Implementation Plan for FY 2010-11 thru FY 2014-15.

Table 3-2 Five-Year Affordable Housing Program Funds and Estimated Housing Development

MERGER NO 2 FIVE-YEAR AFFORDABLE HOUSING PROGRAM FUNDS AND ESTIMATED HOUSING DEVELOPMENT						
	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15	TOTAL
HOUSING PROGRAM						
Housing Expenditures						
*New Construction, *Adaptive Reuse, *Substantial Rehab.						
Minor Rehabilitation	\$722,000	\$1,129,000	\$1,178,000	\$1,229,000	\$1,282,000	\$5,540,000
Estimated Housing Units	20 - 32 units	52 - 67 units	53 - 68 units	55 - 70 units	56 - 71 units	236 - 308 units
HOUSING FUND DEPOSITS	\$722,000	\$1,129,000	\$1,178,000	\$1,229,000	\$1,282,000	\$5,540,000
*45 Year Covenants for Owner-Occupied Housing and 55 Year Covenants for Rental Housing						

3.4 AFFORDABLE HOUSING PROGRAM COMPLIANCE OBJECTIVES

3.4.1 REPLACEMENT HOUSING REQUIREMENTS

Redevelopment Law Section 33413 (a) requires agencies to construct or cause the construction of housing to replace each unit destroyed or removed from the low and moderate income housing market. All project areas adopted after 1975, and since 1986, all project areas adopted prior to 1975, must meet the replacement housing requirements.

- A redevelopment agency may replace the dwelling units by, or cause the replacement by, major rehabilitation of existing housing units or the construction of new housing units. The Agency's role may range from a major funding contribution to a replacement housing project, to purchasing affordability covenants.
- Affordability for all replacement housing units has and will be reserved, for the time period required by law, through covenants placed on the rehabilitated or constructed units secured through Owner Participation Agreements, Disposition and Development Agreements, or other agreements for acquisition or donation of affordability covenants.
- Replacement units must equal in number, and must have bedrooms equal to or greater in number than, the dwelling units destroyed or removed.
- When dwelling units are destroyed or removed after January 1, 2002, the replacement

units must also be affordable to and occupied by the same income level of households as the destroyed or removed units. However, a lower income category than the destroyed or removed unit may be substituted (i.e., a Very Low Income unit may replace a Low Income or Moderate Income unit, and a Low Income unit may replace a Moderate Income unit, but not vice-versa).

The Agency must require that the replacement units remain available at affordable housing costs, and remain occupied by, low and moderate income families for the longest feasible time, but not less than 55 years for rental units and 45 years for owner occupied units. In certain instances an agency may permit sales of owner occupied units before the expiration of the 45 year affordability period.

Status of Redevelopment Agency Replacement Housing Obligations

Replacement Housing Plan for Hope VI Residential And Commercial Mixed Use Project -

On November 29, 2005, the Agency adopted Resolution No. 1667, approving the Replacement Housing Plan for the Hope VI Residential and Commercial Mixed Use Project. This involved the proposed demolition of 15 existing dwelling units (42 bedrooms). Nine of the dwelling units (28 bedrooms) were occupied by very low income households. Four of the dwelling units (8 bedrooms) were occupied by low income households. Two of the dwelling units (6 bedrooms) were occupied by moderate income households.

Demolition of 14 dwelling units was completed by July 2007. Compliance with the requirements for replacement of eight units (37 bedrooms) of very low income housing; four units (8 bedrooms) of low income housing; and two units (6 bedrooms) of moderate income housing were met through the use of 15 units of Major Rehabilitation resources from the MLK Square Housing Project in the Southwest Fresno Project Area. MLK Square was issued a Certificate of Completion on January 11, 2008. The replacement bedrooms included 20 bedrooms of extremely low income housing and 19 bedrooms of very low income housing.

Demolition of 1 unit (3 bedrooms) of very low income housing was completed in June 2008. Compliance with the requirement for replacement housing was met through the construction of 1 unit of new housing (4 bedrooms) on an infill property located within the Southwest Fresno Project Area that was sold to a very low income family in May 2009.

California Triangle Replacement Housing Plan – On October 3, 2006, the Redevelopment Agency adopted Resolution No. 1685 approving the California Triangle Replacement Housing Plan. This involved the proposed demolition/removal from the low and moderate income market of ten existing dwelling units (42 bedrooms). Four of the dwelling units (11 bedrooms) were occupied by extremely low income households. Four of the dwelling units (10 bedrooms) were occupied by very low income households. Two of the dwelling units (5 bedrooms) were occupied by low income households.

Compliance with the requirements for replacement of the ten dwelling units were met through the use of 10 units of Major Rehabilitation resources from the MLK Square Housing Project in the Southwest Fresno Project Area. MLK Square was issued a Certificate of Completion on January 11, 2008. The replacement bedrooms included 11 bedrooms of extremely low housing, 10 bedrooms of very low income housing, and 5 bedrooms of low income housing.

Replacement Housing Plan for 2304 South Walnut – On January 29, 2008, the Agency adopted a

Replacement Housing Plan for 2304 South Walnut for a vacant, Very Low Income dwelling unit (3 bedrooms). The property has not been demolished to date, but within four years of its demolition, the Agency will be required to replace the dwelling with at least 3 bedrooms in the very low income or lower income range.

Except for the dwelling unit at 2304 South Walnut, that has not yet been demolished, all of the Agency's replacement housing obligations described above have been met within the four-year time period, and all low and moderate income category bedrooms have been replaced with the same income category, or with an income category lower than that which was destroyed or removed.

3.4.2 HOUSING PRODUCTION (INCLUSIONARY) REQUIREMENTS

Both of the Constituent Plans in Merger 2 (Fruit/Church and Southwest Fresno) were adopted prior to 1977, and therefore, have not been subject to the provisions of Section 33413 (b)(4). Consequently there are no Housing Production obligations to report during the previous five year Implementation Plan period.

However, both of the Constituent Plans are being proposed to be updated pursuant to Section 33333.10. Therefore, when and if the plan amendment ordinances for the Fruit/Church and Southwest Fresno Constituent Project Areas are effective, a 10 year time period for meeting the Housing Production requirements would start.

Future Application of Housing Production Requirements

For the purposes of the draft Five Year Implementation Plan in the following analysis, projections are made for what the Housing Production requirements would be for an estimated 10 year time period starting in November 2010, and projections are also made for the Housing Production requirements to the duration of the two Constituent Project Areas.

Housing Production Requirements - Section 33413(b)(1), when it would become applicable, requires that at least 30 percent of all new or rehabilitated units developed within the project area by the Agency itself are available at affordable costs to households of very low (up to 50 percent of area median income), low (51 percent-80 percent of area median income), or moderate (81 percent-120 percent of area median income). Of this 30 percent, not less than 50 percent are required to be available at affordable costs to very low-income households.

Section 33413(b)(2), when it would become applicable, requires that at least 15 percent of all new or substantially rehabilitated units developed within each project area by persons or entities other than an agency be made available at affordable costs to low or moderate income households. Of this 15 percent, not less than 40 percent of the units are required to be available at affordable costs to very low-income households. These requirements are applicable to housing units as aggregated and not on a case-by-case basis to each dwelling unit created or rehabilitated unless so required by an agency. The requirements include:

a. Requirements For Housing Not Developed by the Agency:

At least 15 percent of new or rehabilitated dwelling units developed or substantially rehabilitated must be available at affordable housing cost to very low (50 percent or less of median), low (51 percent to 80 percent of median), and moderate (81 percent to 120 percent of median) income households.

Of those units, at least 40 percent must be affordable to very low income households (i.e., 40

percent of 15 percent = 6 percent).

b. Requirements For Housing Developed Directly by the Agency:

At least 30 percent of new or rehabilitated dwelling units developed directly by a redevelopment agency must be available at affordable housing cost to very low (50 percent of less of median), low (51 percent to 80 percent of median), and moderate (81 percent to 120 percent of median) income households.

Of those units, at least 50 percent must be affordable to very low income households (i.e., 50 percent of 30 percent = 15 percent).

This requirement for Agency-developed housing does not apply to units developed by housing developers pursuant to agreements with an agency. Therefore, this requirement is seldom applied, as most redevelopment agencies do not act as a housing developer.

c. Substantially Rehabilitated Dwelling Units

Substantially rehabilitated dwelling units means all units substantially rehabilitated with Agency assistance.

d. Agency Alternatives for Meeting Housing Production Plan Obligations

The Agency may "cause" low and moderate income housing to be available, by regulation or agreement. An example of a regulatory approach, would be where an agency would work with its City to seek the adoption of a "Inclusionary Housing" Ordinance, which may involve "in-lieu" fees to provide developers with more alternatives to meet obligations. An example of an approach using agreements would include, for example, Development and Disposition Agreements, and Owner Participation Agreements.

Two-for-One Alternative - Instead of providing units within a project area, the Agency may cause affordable housing to be available outside a project area, inside another project area, by regulation or agreement.

Aggregation between Project Areas - Instead of providing units within a particular redevelopment project area, the Agency may aggregate the responsibility in one or more Project Areas, if appropriate findings are made that the aggregation will not cause or exacerbate racial, ethnic, or economic segregation.

Purchase of Affordability Covenants - An agency may purchase or acquire long-term affordability covenants, but they cannot be used to satisfy more than 50 percent of the dwelling units required to meet the Housing Production obligations.

Section 33413 (b)(4) requires agencies to adopt an affordable housing production plan to meet the requirements of Section 33413 mentioned above for each Project Area. The production plan must be consistent with the Fresno General Plan Housing Element and must also be reviewed at least every two years in conjunction with either the cyclical preparation of the Housing Element or Implementation Plan cycle to ensure that the requirements are met every 10 years.

Projected Agency Housing Production Obligations

Fruit/Church Project Area

Fruit/Church (Projected Nov 2010 – Nov 2020)

- Agency Assisted New Construction – 45 Affordable Units (25 Very Low units, 20 Low and Moderate units)
- Non-Agency New Construction – 4 units
- Total Agency Housing Production Obligations for 10 year Time Period
 - 49 units x 6% = 3 units of Very Low Income Housing
 - 49 units x 9% = 4 units of Low and Moderate Income Housing

The Agency estimates that during the 10 year Housing Production Period for the Fruit/Church Project Area there will be a net surplus of 22 units of Very Low Income Housing and 16 units of Low and Moderate Income Housing, which can be applied to Agency Housing Production Obligations for the Project Area for the next 10 Year Period or to the obligations of another Redevelopment Project Area.

Fruit/Church (Projected to Plan Duration Nov 2020 – Oct 7, 2024)

- Agency Assisted New Construction – 18 Affordable Units
- Non-Agency New Construction – 4 units
- Total Agency Housing Production Obligations to Plan Duration Time Period
 - 22 units x 6% = 1 unit of Very Low Income Housing
 - 22 units x 9% = 2 units of Low and Moderate Income Housing

Southwest Fresno Project Area

Southwest Fresno (Projected Nov 2010 – Nov 2020)

- Agency Assisted New Construction – 630 Affordable Units (301 Very Low units, 328 Low and Moderate units)
- Agency Assisted Substantial Rehabilitation – 100 Affordable Units (20 Very Low units, 80 Low and Moderate units)
- Non-Agency New Construction – 350 units
- Total Agency Housing Production Obligations for 10 year Time Period
 - 1,080 units x 6% = 65 units of Very Low Income Housing
 - 1,080 units x 9% = 97 units of Low and Moderate Income Housing

The Agency estimates that during the 10 year Housing Production Period for the Southwest Fresno Project Area there will be a net surplus of 256 units of Very Low Income Housing and 311 units of Low and Moderate Income Housing, which can be applied to Agency Housing Production Obligations over the next 10 Year Period or to the obligations of another Redevelopment Project Area.

Southwest Fresno (Projected to Plan Duration Nov 2020 – Jan 14, 2022)

- Agency Assisted New Construction – 65 Affordable Units (30 Very Low units, 35 Low and Moderate units)
- Agency Assisted Substantial Rehabilitation – 12 units
- Non-Agency New Construction – 40 units

- Total Agency Housing Production Obligations to Plan Duration Time Period
 117 units x 6% = 7 units of Very Low Income Housing
 117 units x 9% = 11 units of Low and Moderate Income Housing

3.4.3 Compliance with Housing Fund Expenditures Proportionality Requirements

Effective January 2002, expenditure of housing set-aside revenues is subject to certain legal requirements. Pursuant to Section 33334.4, at a minimum, the Agency's low and moderate income housing set-aside revenue is to be expended in proportion to the community's need for very low and low income housing, over a 10-year time period. The Agency has the option to implement the Section 33334.4 obligations for Project Areas in existence prior to December 31, 1993, over a longer period of time. Both the Fruit/Church and Southwest Fresno Constituent Plans were adopted and in existence prior to December 31, 1993. The proportionality requirements for the Constituent Plans would be implemented on or before December 31, 2014, and each 10 years thereafter.

The City's 2009-2013 Housing Element contains the Regional Housing Needs Allocation for the City of Fresno, which identified a need for 20,967 dwelling units for the Housing Element Planning Period. The City's share of the January 1, 2006 RHNA for low, very low, and extremely low income housing is expressed as a percentage share. For purposes of this report, the extremely low income category was combined with the very low income category. The resulting percentages (Very Low 24%, Low 16%, and Moderate 16%) are contained in the following Table which summarizes the Low and Moderate Housing Fund Expenditures for the 10 year period from FY 2001-02 thru FY 2009-10. The RHNA percentages are used as the minimum thresholds for housing program expenditure compliance that would be required over the 10-year term. In Attachment B to this Implementation Plan is a Proportionality Table of Low and Moderate Housing Funds for each of the fiscal years between 2001-02 and 2009-10. The Table also includes the previous January 1, 2000 RHNA that had been applicable prior to January 1, 2006.

In the following Table 3-3 is a summary of the Agency's Housing Fund expenditures for the time period from FY 2001-02 thru FY 2009-10, for all of the Agency's Project Areas, including the two Constituent Project Areas in Merger No. 2. The Table identifies Housing Fund Expenditures for all housing units developed or improved with Housing Funds, categorized by the income level of the families or individuals benefited by the Housing Fund Expenditures. The Table shows that the Agency has exceeded the minimum threshold requirements of the RHNA percentages for the expenditure of Housing Funds for the required very low and low income housing categories for the initial 10-year compliance period (FY 2001-02 thru FY 2009-10).

Table 3-3 Summary of Housing Fund Expenditures for FY 2001-02 thru FY 2009-10

EXHIBIT _____ May 2010 PROPORTIONALITY OF LOW MOD FUND EXPENDITURES ALL REDEVELOPMENT PROJECT AREAS TOTALS FY 2001-02 THRU 2009-10**				
	VL	L	Mod	TOTALS
TOTALS				
Total of Units by Income	712	634	356	1,702
Total of Expenditures* by Income	\$4,481,671	\$5,948,402	\$2,710,936	\$13,141,009
Percentage of Units by Income	42%	37%	21%	100%
Percentage of Expenditures by Income	34%	45%	21%	100%
RHNA Percentage by Income***	24%	16%	16%	
*Expenditures for developed units, funds used on administration are excluded from analysis				
**Data for FY 2009-10 is partial year thru March 31, 2010				
***Regional Housing Needs Allocation (RHNP) Percentages from 2007 Fresno County Regional Housing Needs Allocation Plan				

Senior Affordable Housing

Pursuant to CRL Section 33334.4 the Agency must expend the Housing Funds to assist housing that is available to all persons regardless of age in at least the same proportion as the number of low-income households with a member under age 65 years bears to the total number of low-income households of the community as reported in the most recent Census of the United States Census Bureau. Therefore, Housing Fund expenditures for non-senior housing would be in proportion to the number of non-senior households in the community.

Previously, in 2002, the State Legislature adopted AB 687, which required that, over the duration of each redevelopment implementation plan, the moneys in the LMIH Fund shall be spent to assist housing that is available to all persons regardless of age in at least the same proportion as the population under age 65 bears to the total population of the community as reported in the most recent census of the United States Census Bureau ("the 2002 Requirement"). In 2005, the State Legislature adopted SB 527, which amended the requirement to provide that an Agency is allowed to spend the LMIH Fund money to assist senior, affordable housing in the same proportion as senior low-income households bears to the total low-income households in the community (the "2006 Requirement"). The effect of this change was anticipated to allow for agency assistance to a greater population of senior housing than the CRL allowed prior to 2006.

In regard to the 2002 Requirement, the 2000 U.S. Census statistics as reported in the City's 2009-2013 Housing Element, indicated that persons 62 years or older were 10.8% of the population in the City of Fresno. In regard to the 2006 Requirement, the City's 2009-2013 Housing Element, reported that there were 4,843 low-income households (51-80% of median income) under the age of 65 in the City of Fresno, and 20,089 low-income households in the City of Fresno. Therefore no more than 24.1% of Project Area housing set-aside funds may be expended on housing for households age 65 or older.

Since the 2002 Requirement regarding senior housing became effective, the Agency has not utilized Housing Fund moneys to assist any housing project within the Project Area, other Project Areas, or outside the Project Area that contained units dedicated to senior housing. Therefore, whether the 2002 Requirement or the 2006 Requirement is used, the Agency has complied, during the 10-year period of the Implementation Plan, with the CRL requirements to not spend LMIH Fund moneys in

excess of the Senior Housing limitation. During the next 10-year period for the Implementation Plan, the Agency may not expend more than 24.1% Housing Fund moneys on housing for households age 65 or older.

3.4.4 Compliance with Section 33333.10 Requirements to Focus Housing Fund Expenditures

If and when the Proposed Merger No. 2 Plan Amendments are approved and adopted, then, pursuant to Section 33333.10(2), in the first fiscal year following the adoption of the Proposed Merger No 1 Plan Amendments regarding the Fruit/Church and the Southwest Fresno Constituent Project Areas, the Agency may continue to expend moneys from the Housing Fund for Moderate Income Housing, but with certain limitations. In a Five Year Period (estimated to start in FY 2011-2012 upon adoption of the Proposed Merger No. 2 Plan Amendments in FY 2010-11 that would follow adoption of the Proposed Merger No. 2 Plan Amendments in FY 2010-11), the amount that would be expended on Moderate Income Housing shall not exceed 15% of the amount of Housing Funds deposited from the above listed Project Areas, and shall only be used to assist housing projects in which no less than 49% of the units are affordable to and occupied by Extremely Low, Very Low, or Low Income families or persons. Or, the Agency may spend the subject Housing Funds on Moderate Income Housing, but the amount shall not exceed the lesser of: the amount of Housing Funds spent on Extremely Low Income Housing, or 5% of the Housing Fund deposits during the Five Year Period.

The Five Year Period for compliance with the Section 33333.10(2) requirements regarding the expenditure of Housing Funds for Moderate Income Housing, would extend beyond the Five Year Period of the Proposed Merger No 2 Implementation Plan (FY 2010-11 through FY 2014-15). Therefore the Agency's compliance with this requirement would be reported in the next Five Year Implementation Plan.

3.4.5 Meeting Housing Responsibilities For Project Areas Within Six Years of the Plan Effectiveness Date

In this Implementation Plan, both of the Constituent Project Areas in Merger No. 2 will reach their respective Plan Effectiveness Dates (2014 for Fruit/Church and 2012 for Southwest Fresno), unless they are extended as proposed in the Merger No. 2 Plan Amendments.

Should the Plan Effective Date be reached for any of the above listed Project Areas, and the Agency has not complied with its affordable housing obligations pursuant to CRL Section 3333.8(a)(1), then the Agency must use all tax increment funds, not pledged to repay indebtedness, to comply with the housing obligations that have not been met. The Agency will take all steps necessary including, without limitation, budgeting and encumbering funds as necessary to comply with CRL requirements.

It should be noted that neither of the Constituent Project Areas in Merger No. 2 will reach their time limit for Debt Repayment within the five year period of the Proposed Implementation Plan.

**ATTACHMENT ONE
HISTORICAL TAX INCREMENT REVENUES TABLES**

Redevelopment Agency
2005-2006 Incremental Revenue and 20% Housing Set Aside

Project	Total Tax Increment	Less:				Net Incr Received	Housing Set-Aside @ 20%	Net Increment Received After 20% HS
		Admin Fees	Pass Thru Amts		ERAF Payment			
			1st Install	2nd Install				
Central Business District	637,874.85	11,127.00	4,382.86	4,382.86	43,216.03	574,766.10	127,574.97	447,191.13
Fruit/Church	374,687.72	6,614.00	2,766.60	2,766.60	29,851.26	332,689.26	74,937.54	257,751.72
Mariposa	836,422.22	14,580.00	5,742.73	5,742.73	64,745.39	745,611.37	167,284.44	578,326.93
Southwest Fresno	2,503,494.30	43,424.00	17,500.18	17,500.18	176,735.88	2,248,334.06	500,698.86	1,747,635.20
West Fresno #1	202,326.09	3,574.00	1,407.70	1,407.70	17,917.80	178,018.89	40,465.22	137,553.67
West Fresno #2	869,049.47	15,484.00		0.00	45,938.32	807,627.15	173,809.89	633,817.26
West Fresno #3		0.00		0.00		0.00	0.00	0.00
Convention Center	856,476.94	15,202.00		0.00	36,576.97	804,697.97	171,295.39	633,402.58
Jefferson	694,296.03	12,206.00	5,267.95	5,267.95	12,364.81	659,189.32	138,859.21	520,330.11
Chinatown	179,859.89	3,160.00	1,669.31	1,669.31	19,266.20	154,095.07	35,971.98	118,123.09
West Fresno Rehab	40,189.70	695.00	273.64	273.64	1,819.34	37,128.08	8,037.94	29,090.14
Air Terminal	250,590.39	2,829.00	42,834.61	42,834.61	38,053.69	124,038.48	50,118.08	73,920.40
Roeding Business Park	515,018.26	7,844.00	36,262.43	36,262.43	32,561.25	402,088.15	103,003.65	299,084.50
South Van Ness	159,664.14	2,424.00	11,478.17	11,478.17	9,273.06	125,010.74	31,932.83	93,077.91
Fulton	259,436.16	3,964.00	17,927.33	17,927.33	16,183.06	203,434.44	51,887.23	151,547.21
Airport Area Revitalization	2,055,486.04	28,934.00	206,733.01	206,733.01	199,367.34	1,413,718.68	411,097.21	1,002,621.47
Southeast Fresno	1,756,953.97	24,564.00	180,871.00	180,871.00	143,625.83	1,227,022.14	351,390.79	875,631.35
South Fresno Industrial	910,021.83	12,786.00	92,166.88	92,166.88	37,064.73	675,837.34	182,004.37	493,832.97
Central City	484,999.68	7,266.00	34,503.71	34,503.71	24,887.86	383,838.40	96,999.94	286,838.46
Corridor 99/Golden State	1,182,063.50	17,901.00	85,932.85	85,932.85		992,296.80	236,412.70	755,884.10
Totals	14,768,911.18	234,578.00	747,720.96	747,720.96	949,448.82	12,089,442.44	2,953,782.24	9,135,660.20

Redevelopment Agency
2006-2007 Incremental Revenue and 20% Housing Set Aside

Project	Total Tax Increment	Less:				Net Incr Received	Housing Set-Aside @ 20%	Net Increment Received After 20% HS
		Admin Fees	Pass Thru Amts		ERAF Payment			
			1st Install	2nd Install				
Central Business District	809,568.86	11,699.00	5,578.07	5,578.07		786,713.72	161,913.77	624,799.95
Fruit/Church	421,365.34	6,151.00	3,063.14	3,063.14		409,088.06	84,273.07	324,814.99
Mariposa	1,171,238.70	17,092.00	8,071.32	8,071.32		1,138,004.06	234,247.74	903,756.32
Southwest Fresno	2,920,775.17	42,538.00	20,303.87	20,303.87		2,837,629.43	584,155.03	2,253,474.40
West Fresno #1	202,917.23	2,974.00	1,412.14	1,412.14		197,118.95	40,583.45	156,535.50
West Fresno #2	893,614.64	13,042.00		0.00		880,572.64	178,722.93	701,849.71
West Fresno #3	0.00	0.00		0.00		0.00	0.00	0.00
Convention Center	915,019.03	13,353.00		0.00		901,666.03	183,003.81	718,662.22
Jefferson	557,433.75	8,129.00	4,339.49	4,339.49		540,575.77	111,486.75	429,089.02
Chinatown	167,247.56	2,441.00	1,607.50	1,607.50		161,591.56	33,449.51	128,142.05
West Fresno Rehab	42,886.08	613.00	292.31	292.31		41,688.46	8,577.22	33,111.24
Alr Terminal	136,887.68	1,998.00	25,127.90	25,127.90		84,633.88	27,377.54	57,256.34
Roeding Business Park	724,726.14	10,578.00	52,693.86	52,693.86		608,760.42	144,945.23	463,815.19
South Van Ness	226,328.29	3,234.00	15,801.21	15,801.21		191,491.87	45,265.66	146,226.21
Fulton	431,765.07	6,302.00	29,841.51	29,841.51		365,771.97	86,353.01	279,418.96
Airport Area Revitalization	2,229,560.74	32,547.00	207,472.72	207,472.72		1,782,068.30	445,912.15	1,336,156.15
Southeast Fresno	2,002,294.68	29,224.00	206,173.47	206,173.47		1,560,673.74	400,458.94	1,160,214.80
South Fresno Industrial	1,107,265.58	16,164.00	112,145.67	112,145.67		866,810.24	221,453.12	645,357.12
Central City	692,743.32	10,096.00	49,323.47	49,323.47		584,000.38	138,548.66	445,451.72
Corridor 99/Golden State	1,893,498.49	27,639.00	137,609.10	137,609.10		1,590,641.29	378,699.70	1,211,941.59
Totals	17,547,136.35	255,814.00	880,856.75	880,856.75	0.00	15,529,500.77	3,509,427.27	12,020,073.50

Redevelopment Agency
2007-2008 Incremental Revenue and 20% Housing Set Aside

Project	Total Tax Increment	Less:			Net Incr Received	Housing Set-Aside @ 20%	Net Increment Received After 20% HS
		Admin Fees	Pass Thru Amts				
			1st Install	2nd Install			
Central Business District	1,099,450.63	14,554.00	7,593.00	7,593.00	1,069,710.63	219,890.13	849,820.50
Fruit/Church	507,529.59	6,770.00	3,620.64	3,620.64	493,518.31	101,505.92	392,012.39
Mariposa	1,345,069.35	17,932.00	9,276.45	9,276.45	1,308,584.45	269,013.87	1,039,570.58
Southwest Fresno	3,461,776.95	46,002.00	23,984.55	23,984.55	3,367,805.85	692,355.39	2,675,450.46
West Fresno #1	218,137.78	2,921.00	1,517.81	1,517.81	212,181.16	43,627.56	168,553.60
West Fresno #2	899,064.83	11,989.00		0.00	887,075.83	179,812.97	707,262.86
West Fresno #3	0.00	0.00		0.00	0.00	0.00	0.00
Convention Center	986,231.13	13,148.00		0.00	973,083.13	197,246.23	775,836.90
Jefferson	698,870.84	9,308.00	5,346.56	5,346.56	678,869.72	139,774.17	539,095.55
Chinatown	135,059.33	1,801.00	1,409.35	1,409.35	130,439.63	27,011.87	103,427.76
West Fresno Rehab	62,532.45	822.00	428.69	428.69	60,853.07	12,506.49	48,346.58
Air Terminal/FATRA	216,328.32	2,884.00	37,886.97	37,886.97	137,670.38	43,265.66	94,404.72
Roeding Business Park	1,050,810.88	14,014.00	75,689.29	75,689.29	885,418.30	210,162.18	675,256.12
South Van Ness	368,569.73	4,750.00	25,064.73	25,064.73	313,690.27	73,713.95	239,976.32
Fulton	488,930.00	6,521.00	33,709.30	33,709.30	414,990.40	97,786.00	317,204.40
Airport Area Revitalization	2,342,988.49	31,254.00	234,230.06	234,242.33	1,843,262.10	468,597.70	1,374,664.40
Southeast Fresno	2,427,773.28	32,377.00	261,780.90	261,780.90	1,871,834.48	485,554.66	1,386,279.82
South Fresno Industrial	1,388,986.90	18,529.00	138,866.15	138,866.15	1,092,725.60	277,797.38	814,928.22
Central City	906,966.48	12,177.00	61,937.62	63,694.00	769,157.86	181,393.30	587,764.56
Corridor 99/Golden State	2,496,785.95	33,302.00	176,399.48	176,410.76	2,110,673.71	499,357.19	1,611,316.52
Totals	21,101,862.91	281,055.00	1,098,741.55	1,100,521.48	18,621,544.88	4,220,372.58	14,401,172.30

Redevelopment Agency
2008-2009 Incremental Revenue and 20% Housing Set Aside

Project	Total Tax Increment	Less:					Net Incr Received	Housing Set-Aside @ 20%	Net Increment Received After 20% HS
		Fees		Pass Thru Amts		ERAF Reserve			
		AB 1389	Admin	1st Install	2nd Install				
Central Business District	867,458.00	351.50	13,139.00	6,000.12	6,000.12		841,967.26	173,491.60	668,475.66
Fruit/Church	494,937.76	210.90	7,854.00	3,682.37	3,682.37		479,508.12	98,987.55	380,520.57
Mariposa	1,280,590.90	210.90	19,536.00	8,835.98	8,835.98		1,243,172.04	256,118.18	987,053.86
Southwest Fresno	3,534,678.34	242.54	54,284.00	24,769.05	24,769.05		3,430,613.70	706,935.67	2,723,678.03
West Fresno #1	233,857.43	140.60	3,580.00	1,628.20	1,628.20		226,880.43	46,771.49	180,108.94
West Fresno #2	959,755.57	140.60	14,621.00	0.00	0.00		944,993.97	191,951.11	753,042.86
West Fresno #3	0.00	14.06	0.00	0.00	0.00		(14.06)	0.00	(14.06)
Convention Center	998,862.23	246.05	15,227.00	0.00	0.00		983,389.18	199,772.45	783,616.73
Jefferson	664,581.78	281.20	10,039.00	5,145.36	5,145.36		643,970.86	132,916.36	511,054.50
Chinatown	126,913.33	210.90	1,836.00	1,375.88	1,375.88		122,114.67	25,382.67	96,732.00
West Fresno Rehab	69,832.77	281.20	1,053.00	480.87	480.87		67,536.83	13,966.55	53,570.28
Air Terminal/FATRA	444,332.25	210.90	6,752.00	74,261.50	74,261.50		288,846.35	88,866.45	199,979.90
Roeding Business Park	1,058,459.84	316.35	16,190.00	78,253.20	78,253.20		885,447.09	211,691.97	673,755.12
South Van Ness	456,902.82	210.90	6,893.00	31,518.77	31,518.77		386,761.38	91,380.56	295,380.82
Fulton	445,848.21	281.20	6,802.00	30,815.58	30,815.58		377,133.85	89,169.64	287,964.21
Airport Area Revitalization	2,224,121.30	210.90	34,514.00	222,437.52	222,437.52		1,744,521.36	444,824.26	1,299,697.10
Southeast Fresno	2,903,412.53	351.50	44,321.00	290,713.47	290,713.47		2,277,313.09	580,682.51	1,696,630.58
South Fresno Industrial	1,630,618.72	281.20	25,648.00	163,372.17	163,372.17		1,277,945.18	326,123.74	951,821.44
Central City	1,009,807.03	246.05	15,525.00	69,980.74	69,980.74		854,074.50	201,961.41	652,113.09
Corridor 99/Golden State	2,738,952.82	281.20	42,119.00	193,184.95	193,184.95		2,310,182.72	547,790.56	1,762,392.16
Totals	22,143,923.63	4,720.65	339,933.00	1,206,455.73	1,206,455.73	0.00	19,386,358.52	4,428,784.73	14,957,573.79

Redevelopment Agency
2009-2010 Incremental Revenue and 20% Housing Set Aside - Estimated

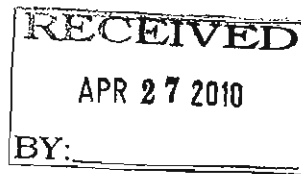
Project	Estimated Total Tax Increment	Less:					Net Incr Received	Housing Set-Aside @ 20%	Net Increment Received After 20% HS
		Fees		Pass Thru Amts		SERAF Payment			
		AB 1389	Admin	1st Install	2nd Install				
Central Business District	911,412.44	35.56	12,313.00	66,903.23	66,903.23	310,786.86	454,470.56	182,282.49	272,188.07
Fruit/Church	543,525.46	35.56	7,410.00	17,108.19	17,108.19	161,758.70	340,104.82	108,705.09	231,399.73
Mariposa	1,195,826.62	35.56	17,010.00	44,429.07	44,429.07	449,628.95	640,293.97	239,165.32	401,128.65
Southwest Fresno	3,116,891.36	35.56	52,950.00	119,607.36	119,607.36	1,121,261.68	1,703,429.40	623,378.27	1,080,051.13
West Fresno #1	236,435.84	35.56	3,330.00	6,185.17	6,185.17	77,898.26	142,801.68	47,287.17	95,514.51
West Fresno #2	980,758.48	35.56	13,681.00	9,914.87	9,914.87	343,051.34	604,160.84	196,151.70	408,009.14
West Fresno #3	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00
Convention Center	1,023,132.90	35.56	14,228.00	41,846.13	41,846.13	351,268.31	573,908.77	204,626.58	369,282.19
Jefferson	558,748.02	35.56	9,447.00	18,662.59	18,662.59	213,994.25	297,946.03	111,749.60	186,196.43
Chinatown	128,774.42	35.56	2,807.00	1,420.34	1,420.34	64,204.97	58,886.21	25,754.88	33,131.33
West Fresno Rehab	71,616.70	35.56		3,837.12	3,837.12	16,463.62	47,443.28	14,323.34	33,119.94
Air Terminal/FATRA	235,720.74	59.02	6,645.00	41,457.71	41,457.71	52,550.06	93,551.24	47,144.15	46,407.09
Roeding Business Park	895,184.30	59.02	15,810.00	84,650.05	84,650.05	278,216.43	431,798.75	179,036.86	252,761.89
South Van Ness	544,402.52	35.56	6,492.00	38,818.69	38,818.69	86,885.58	373,352.00	108,880.50	264,471.50
Fulton	590,271.22	59.02	6,344.00	52,881.45	52,881.45	165,751.08	312,354.22	118,054.24	194,299.98
Airport Area Revitalization	2,695,249.06	59.02	33,345.00	269,549.51	269,549.51	855,910.12	1,266,835.90	539,049.81	727,786.09
Southeast Fresno	3,024,016.96	59.02	43,478.00	302,419.82	302,419.82	768,664.54	1,606,975.76	604,803.39	1,002,172.37
South Fresno Industrial	1,770,279.80	59.02	24,405.00	177,027.97	177,027.97	425,070.19	966,689.65	354,055.96	612,633.69
Central City	1,085,151.46	35.56	15,105.00	75,316.53	75,316.53	265,938.49	653,439.35	217,030.29	436,409.06
Corridor 99/Golden State	2,445,312.18	59.02	40,973.00	172,784.95	172,784.95	726,898.57	1,331,811.69	489,062.44	842,749.25
Totals	22,052,710.48	839.86	325,773.00	1,544,820.75	1,544,820.75	6,736,202.00	11,900,254.12	4,410,542.10	7,489,712.02

**ATTACHMENT TWO
HOUSING PROPORTIONALITY TABLE**

ATTACHMENT B May 2010				
PROPORTIONALITY OF LOW MOD FUND EXPENDITURES				
TOTALS FY 2001-02 THRU 2009-10*				
	VL	L	Mod	TOTALS
FY 2001-02				
Subtotal of Units Benefitted by Income	137	51	22	210
Percentage of Units Benefitted by Income	65%	24%	11%	100%
RHNA Percentage by Income**	21%	15%	20%	
FY 2002-03				
Subtotal of Units Benefitted by Income	92	97	102	291
Percentage of Units Benefitted by Income	32%	33%	35%	100%
RHNA Percentage by Income**	21%	15%	20%	
FY 2003-04				
Subtotal of Units Benefitted by Income	180	215	93	488
Percentage of Units Benefitted by Income	37%	44%	19%	100%
RHNA Percentage by Income**	21%	15%	20%	
FY 2004-05				
Subtotal of Units Benefitted by Income	41	43	30	114
Percentage of Units Benefitted by Income	36%	38%	26%	100%
RHNA Percentage by Income**	21%	15%	20%	
FY 2005-06				
Subtotal of Units Benefitted by Income	33	35	21	89
Percentage of Units Benefitted by Income	37%	39%	24%	100%
RHNA Percentage by Income**	21%	15%	20%	
FY 2006-07				
Subtotal of Units Benefitted by Income	70	94	34	198
Percentage of Units Benefitted by Income	36%	47%	17%	100%
RHNA Percentage by Income**	21%	15%	20%	
FY 2007-08				
Subtotal of Units Benefitted by Income	107	39	21	167
Percentage of Units Benefitted by Income	64%	23%	13%	100%
RHNA Percentage by Income***	24%	16%	16%	
FY 2008-09				
Subtotal of Units Benefitted by Income	30	25	20	75
Percentage of Units Benefitted by Income	40%	33%	27%	100%
RHNA Percentage by Income***	24%	16%	16%	
FY 2009-10*				
Subtotal of Units Benefitted by Income	22	35	13	70
Percentage of Units Benefitted by Income	31%	50%	19%	100%
RHNA Percentage by Income***	24%	16%	16%	
TOTALS				
Subtotal of Units Benefitted by Income	712	634	356	1,702
Percentage of Units Benefitted by Income	42%	37%	21%	100%
RHNA Percentage by Income***	24%	16%	16%	
*Data for FY 2009-10 is partial year thru March 31, 2010				
**Regional Housing Needs Allocation (RHNP) Percentages				
from 2001 Fresno County Regional Housing Needs Allocation Plan				
***Regional Housing Needs Allocation (RHNP) Percentages				
from 2007 Fresno County Regional Housing Needs Allocation Plan				

Appendix D

NOP Comment Letters



City Hall (559) 621-8800
2600 Fresno Street, Rm 4064
Fresno, CA. 93721-3623
www.fresno.gov

Public Works Department
Patrick Wiemiller, Director

Date: April 23, 2010

Redevelopment Agency of the City of Fresno
David Martin
2344 Tulare Street, Suite 200
Fresno, CA 93721

Subject: Fresno Merger No. 2 Redevelopment Plan Amendments Project
Between California and Church and West and Fruit)

Dear Mr. Martin,

Thank you for the opportunity to review the subject application for the above mentioned project.

I have reviewed the application and we are unable to provide specific comments related to conditions of approval for this project, without a formal application being submitted for our consideration. These applications may include, but are not limited to, conditional use permits, rezoning applications, site plan review, and building permits.

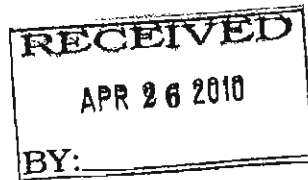
Please be advised that this project will need to comply with City codes, ordinances and conditions of approval that will be established at the time formal applications are submitted. Typical Public Works conditions of approval include, but are not limited to: Submitting a Traffic Impact Study and addressing all mitigated measures, dedicating road right-of-way for street purposes; offering landscape and pedestrian easements; construction of roads, utilities (water, sewer, electrical, cable TV, flood control, etc.); under grounding of existing overhead utilities; payment of all fees including impact fees adopted by the Council; installation of landscaping; annexation to a community facilities district for maintenance of certain infrastructures; and construction of traffic signals, median islands, curb, gutter, sidewalks and street lighting.

1-1

Once formal applications are submitted to the City of Fresno Planning and Development Department, they will be routed for review and comment. We will, at that time, establish our conditions of approval. Please feel free to contact me at (559) 621-8690 / louise.gilio@fresno.gov should you have any further questions regarding this matter.

Sincerely,

Louise Gilio, Traffic Planning Supervisor
Public Works Department
Engineering Division, Traffic Engineering Section



INTER OFFICE MEMO

County Free Library

DATE: April 23, 2010

TO: David Martin, Project Manager
Redevelopment Agency of the City of Fresno

FROM: Patricia Pondexter, Interim County Librarian 

SUBJECT: Fresno Merger No. 2 Redevelopment Plan Amendments Project

This proposal for a SEIR (Subsequent Environmental Impact Report) does contemplate the completion of intensive-level historic building surveys for the area in question (p. 2), and notes the potential of finding additional historic resources there (p. 4). As such, it appears that the completed document would be appropriately protective of historic properties in the area potentially affected by urban development and/or renewal.

2-1

DEPARTMENT OF TRANSPORTATION

1352 WEST OLIVE AVENUE

P. O. BOX 12616

FRESNO, CA 93778-2616

PHONE (559) 488-4347

FAX (559) 488-4088

TTY (559) 488-4066

*Flex your power!
Be energy efficient!*

Letter 3

April 26, 2010

2131-IGR/CEQA
6-FRE-GENERAL
FRESNO MERGER NO. 2
REDEVELOPMENT PLAN
NOTICE OF PREPARATION
SCH #2010041058

Mr. David Martin, Project Manager
Redevelopment Agency of the City of Fresno
2344 Tulare Street, Suite 200
Fresno, CA 93721

Dear Mr. Martin:

Caltrans has reviewed the Notice of Preparation (NOP) for a Draft Subsequent Environmental Impact Report (SEIR) for Redevelopment Plan Merger No. 2. We have the following comments:

We have no specific comments on the NOP. Caltrans looks forward to working with the Agency and with the City of Fresno as projects are proposed within this redevelopment area.

3-1

If you have any questions, please contact me at (559) 488-4347.

Sincerely,

A handwritten signature in cursive script that reads "Joanne Striebich".

JOANNE STRIEBICH
Office of Transportation Planning
District 6

C: State Clearinghouse
Mr. Tony Boren, Council of Fresno County Governments

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



May 13, 2010

Letter 4

David Martin
City of Fresno Redevelopment Agency
2344 Tulare, Suite 200
Fresno, CA 93721

Re: Notice of Preparation, Draft Environmental Impact Report (DEIR)
Fresno Merger No. 2 Redevelopment Plan Amendments Project
SCH# 2010041058

Dear Mr. Martin:

As the state agency responsible for rail safety within California, the California Public Utilities Commission (CPUC or Commission) recommends that development projects proposed near rail corridors be planned with the safety of these corridors in mind. New developments and improvements to existing facilities may increase vehicular traffic volumes, not only on streets and at intersections, but also at at-grade highway-rail crossings. In addition, projects may increase pedestrian traffic at crossings, and elsewhere along rail corridor rights-of-way. Working with CPUC staff early in project planning will help project proponents, agency staff, and other reviewers to identify potential project impacts and appropriate mitigation measures, and thereby improve the safety of motorists, pedestrians, railroad personnel, and railroad passengers.

The traffic impact study within the traffic/circulation section of the DEIR needs to specifically consider safety issues to at-grade railroad crossings. In addition to the potential impacts of the proposed project itself, the DEIR needs to consider cumulative rail safety-related impacts created by other projects.

4-1

In general, the major types of impacts to consider are collisions between trains and vehicles, and between trains and pedestrians. The proposed project has the potential to increase vehicular and pedestrian traffic in the vicinity.

Measures to reduce adverse impacts to rail safety need to be considered in the DEIR. General categories of such measures include:

- Installation of grade separations at crossings, i.e., physically separating roads and railroad track by constructing overpasses or underpasses
- Improvements to warning devices at existing highway-rail crossings
- Installation of additional warning signage
- Improvements to traffic signaling at intersections adjacent to crossings, e.g., traffic preemption

- Installation of median separation to prevent vehicles from driving around railroad crossing gates
- Prohibition of parking within 100 feet of crossings to improve the visibility of warning devices and approaching trains
- Installation of pedestrian-specific warning devices and channelization and sidewalks
- Construction of pull out lanes for buses and vehicles transporting hazardous materials
- Installation of vandal-resistant fencing or walls to limit the access of pedestrians onto the railroad right-of-way
- Elimination of driveways near crossings
- Increased enforcement of traffic laws at crossings
- Rail safety awareness programs to educate the public about the hazards of highway-rail grade crossings

4-1
con't

Commission approval is required to modify an existing highway-rail crossing or to construct a new crossing.

Please send us the draft scope for the Traffic Impact Study to ensure that all at-grade railroad crossings are included in the analysis. This will minimize future proposed projects in these Constituent Project Areas from being required to conduct individual Traffic Impact Studies which expedites the review time and is significantly more cost effective to the City and project proponents.

Thank you for your consideration of these comments. We look forward to working with the City on this project. If you have any questions in this matter, please contact me at (415) 713-0092 or email at ms2@cpuc.ca.gov.

Sincerely,

Moses Stites
Rail Corridor Safety Specialist
Consumer Protection and Safety Division
Rail Transit and Crossings Branch
180 Promenade Circle, Suite 115
Sacramento, CA 95834-2939

From: David Martin [David.Martin@fresno.gov]
Sent: Thursday, May 13, 2010 9:05 AM
To: John Raymond; Jerry Freeman
Cc: Esselman, Steve
Subject: FW: NOP Comments for Merger II

Letter 5

-----Original Message-----

From: jjurkovich [mailto:jjurk@pacbell.net]
Sent: Thursday, May 13, 2010 6:41 AM
To: David Martin
Subject: NOP Comments for Merger II

Dear David:

RDA's Notice of Preparation does not provide an explanation of the anticipated environmental impacts for the Merger II project. Therefore, I will need to delay comments about potential mitigation measures or project alternatives until the draft SEIR comment stage of the process. (A Notice of Preparation should describe the anticipated environmental impacts to allow for meaningful comment during the early stages of the process.)

The Notice of Preparation indicates a co-lead agency arrangement is contemplated for the Merger II project. In the Merger II draft SEIR please provide a full explanation for the reason RDA has determined it is necessary to serve as co-lead for this project. Please clarify which agency's determination would decide whether subsequent environmental review should be conducted and the authority relied upon for a "co-lead" arrangement. Also, please include a copy of the Joint Powers Agreement the City and RDA have (or will) be entering into to support this arrangement.

5-1

Also, please insure the agency identifies and analyzes feasible mitigation measures to lessen and avoid all impacts identified for historic resources as required in the Guidelines.

Please notify me when the draft SEIR for Merger II is released for comment.

Thank you,

Jeanette L. Jurkovich
1130 W. Roberts
Fresno, CA 93711

From: David Martin [David.Martin@fresno.gov]
Sent: Tuesday, May 18, 2010 8:34 AM
To: Esselman, Steve; Jerry Freeman
Subject: FW: SEIR for Fresno Merger No. 2 Redevelopment Plan Amendments Project

Hi Steve.

With the Fire Dept's response of "Negative Declaration", I believe they mean 1.) they have no specific comments for M2, and 2.) that after the M2 SEIR's adoption, any future project that goes through the environmental process will most likely submit a "ND" to conform to the area's TGMs...

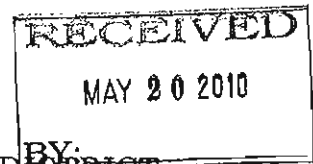
Any comments?

From: Michael Schmidt
Sent: Monday, May 17, 2010 5:41 PM
To: David Martin
Subject: SEIR for Fresno Merger No. 2 Redevelopment Plan Amendments Project

Mr. Martin,
Fresno Fire Department's response for the subject SEIR is a "Negative Declaration".
The project site is within 3 miles from Fire Station #3 and is surrounded with 10" to 12"
City of Fresno water transmission grid mains (TGMs). There are several existing 8" mains
passing through portions of the project site. Specific Fire Department requirements will be
addressed with proposals for development.

6-1

Mike Schmidt
Supervising Inspector
Fresno Fire Department
911 "H" Street
Fresno, CA 93721
Phone: 559-621-4121



FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

File 550.30 "OO", "TT"

May 14, 2010

Letter 7

Mr. David Martin, Project Manager
City of Fresno, Redevelopment Agency
2344 Tulare Street, Suite 200
Fresno, CA 93721

Dear Mr. Martin,

**Fresno Metropolitan Flood Control District Comments for
Notice of Preparation of a Draft Subsequent Environmental Impact
Fresno Merger No.2 Redevelopment Plan Amendments Project
Drainage Areas "OO" and "TT"**

The District has completed review of the provided materials for the Fresno Merger No. 2 and have the following comments to offer:

The Fresno Metropolitan Flood Control District bears responsibility for storm water management within the Fresno-Clovis metropolitan area, including the areas of the subject environmental assessment and rezone. Within the metropolitan area, storm runoff produced by land development is to be controlled through a system of pipelines and storm drainage retention basins. The storm drainage system should also be included as one of the impacted service systems noted in the plan amendment and rezone applications.

The proposed development will produce storm runoff, which must be properly discharged and mitigated. Such mitigation requires certain planned local drainage facilities inclusive of pipeline and storage basins. The California Environmental Quality Act and the National Environmental Policy Act requires the mitigation of adverse environmental impacts associated with land development projects. It is the position of the District that increased storm runoff associated with land development is a significant adverse impact requiring mitigation at the time of, or prior to development.

The community has developed and adopted a Storm Drainage and Flood Control Master Plan. Each property contributes its pro-rata share to the cost of the public drainage system. All properties are required to participate in the community system for everyone. It is this form of participation in the cost and/or construction of drainage systems that will mitigate the impact of development.

K:\Environmental impact report letters\SEIR-fresno merger 2 redevelopment plan(oo.tt)(mw).doc

Mr. David Martin
May 14, 2010
Page 2 of 2

The District has worked with the Redevelopment Agency in the past on Phase I of the Yosemite Village Hope VI Project, which is bounded by West, Fruit, California and Florence Avenues. This area was located inside the District's Drainage Area "OO". The District approved the various grading and drainage plans for Tract 5549, "Sierra Pointe" and the Yosemite Village development along with the revised street improvement plans for California Avenue. All these areas have permanent drainage service to the District's Basin "OO" located on the northeast corner of West and Florence Avenues.

7-2

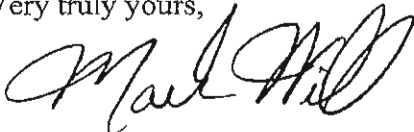
The proposed Fresno Merger No. 2 project encompasses West, Fruit, Church and California Avenues. The portion south of Florence Avenue is located within Drainage Area "TT", is zoned for industrial use and has permanent drainage service available. The portion of the merger located north of Florence Avenue also has permanent drainage service through an existing system currently serving the Hope VI Project area, excepting an area of approximately 6 acres on the east side of the District's Basin "OO". Future development of this 6 acre area would need to construct an eighteen (18) inch diameter storm drain and inlet and extend the proposed storm drain pipeline into the basin for permanent drainage service.

The District requires that the storm drainage patterns conform to the District's Master Plan. The District will need to review and approve all improvement plans prior to implementation for any proposed construction of curb and gutter, street plans, construction plans for storm drainage facilities and grading plans for conformance to the Master Plan within the project area. There are no anticipated negative impacts to the District's system within these drainage areas as long as the proposed drainage patterns and approved City General Plan Land Uses are followed.

7-3

Thank you for the opportunity to comment. Please keep our office informed on the development of this project. If you should have any questions or comments, please contact the District at (559) 456-3292.

Very truly yours,



Mark Will
Engineer III, R.C.E.

MW/lrl

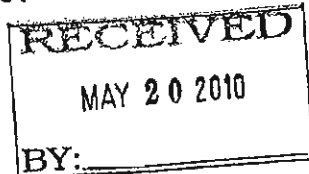


San Joaquin Valley

AIR POLLUTION CONTROL DISTRICT



May 17, 2010



Letter 8

David Martin
City of Fresno
Redevelopment Agency
2344 Tulare Street, Suite 200
Fresno, CA 93721

Project: Fresno Merger No. 2 Redevelopment Plan Amendments
District CEQA Reference No: 20100227

Dear Mr. Martin:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the Notice of Preparation for the project referenced above. The project would extend the Redevelopment Agency's eminent domain authority, amend specific time and financial limits for the Project areas, and update mitigation measures previously adopted in Final EIR 10125. The Redevelopment Plan is a program level project and, while project-specific data may not be available until specific approvals are being granted, the Environmental Impact Report (EIR) should include policies to reduce and mitigate impacts on air quality at the individual project level. To aid the Redevelopment Agency in addressing project specific issues at the program level the District offers the following comments and recommendations:

8-1

Land Use Planning

1. Nearly all development projects within the San Joaquin Valley Air Basin, from general plans to individual development projects have the potential to generate air pollutants, making it more difficult to attain state and federal ambient air quality standards. Land use decisions are critical to improving air quality within the San Joaquin Valley Air Basin because land use patterns greatly influence transportation needs and motor vehicle emissions are the largest source of air pollution. Land use decisions and project design elements such as preventing urban sprawl, encouraging mix-use development, and project designs that reduce vehicle miles traveled (VMT) have proven benefit for air quality. The District recommends that the Redevelopment Plan include or incorporate by reference, policies that will reduce or mitigate VMT impacts to the extent feasible.

Seyed Sadredin
Executive Director/Air Pollution Control Officer

Northern Region
4800 Enterprise Way
Modesto, CA 95356-8718
Tel: (209) 557-6400 FAX: (209) 557-6475

Central Region (Main Office)
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-6000 FAX: (559) 230-6061

Southern Region
34946 Flyover Court
Bakersfield, CA 93308-9725
Tel: 661-392-5500 FAX: 661-392-5585

To aid agencies in addressing VMT impacts the District has prepared the following guidance documents: *Air Quality Guidelines for General Plans*, and *AB 170 Requirements for General Plans*. These documents provide general information and recommendations for policies that are effective in reducing impacts from growth and development projects. These documents are available on the District's web site at: http://www.valleyair.org/transportation/ceqa_idx.htm.

8-1
cont'd

District Rules and Regulations

2. Individual development projects would be subject to District Rule 9510 (Indirect Source Review) if upon full build-out the project would include or exceed any one of the following:

- 50 dwelling units
- 2,000 square feet of commercial space;
- 25,000 square feet of light industrial space;
- 100,000 square feet of heavy industrial space;
- 20,000 square feet of medical office space;
- 39,000 square feet of general office space; or
- 9,000 square feet of educational space; or
- 10,000 square feet of government space; or
- 20,000 square feet of recreational space; or
- 9,000 square feet of space not identified above.

District Rule 9510 is intended to mitigate a project's impact on air quality through project design elements or by payments of applicable off-site mitigation fees. Any applicant subject to District Rule 9510 is required to submit an Air Impact Assessment (AIA) application to the District no later than applying for final discretionary approval, and to pay any applicable off-site mitigation fees before issuance of the first building permit.

The District recommends that a mitigation measure be included that requires, for any project within the scope of this EIR subject to Rule 9510, demonstration of compliance with District Rule 9510, including payment of all applicable fees before issuance of the first building permit, be made a condition of project approval.

District ISR staff is available to meet with the Redevelopment Agency and project proponents to further discuss the requirements of Rule 9510 for individual development projects. More information on District Rule 9510 can be obtained by:

- Calling the District's ISR staff at (559) 230-6000;
- E-mailing inquiries to: ISR@valleyair.org; or
- Visiting the District's website at: <http://www.valleyair.org/ISR/ISRHome.htm>.

3. Individual development projects may also be subject to District regulations including, but limited to: Regulation VIII (Fugitive PM10 Prohibitions), District Rule 2010 (Permits Required), Rule 2201 (New and Modified Stationary Source Review), Rule 4002 (National Emission Standards for Hazardous Air Pollutants), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). To avoid potential delays in project development, the District strongly encourages project proponents contact the District's Small Business Assistance (SBA) Office early in the planning phase to discuss whether an Authority to Construct (ATC) and Permit to Operate (PTO) are required, and to identify other District rules or regulations that apply to their project.

8-1
cont'd

The District recommends that a mitigation measure be included that requires, for any project within the scope of this EIR that is subject to District permits, demonstration of compliance with District permitting requirements, such as a copy of the ATC, before issuance of the first building permit, be made a condition of project approval.

More information on District rules and regulations can be obtained by contacting the District's SBA staff at (559) 230-6000 or by visiting the District's website at: <http://www.valleyair.org/rules/1rulsidx.htm>.

Toxic Air Contaminants and Health Risks

4. The location of development projects is a major factor in determining whether they will result in localized air quality impacts. The potential for adverse air quality impacts increase as the distance between the source of emissions and receptors decrease. From a health risk perspective there are two types of land use projects that have the potential to cause long-term public health risk impacts: those that locate new toxic sources in the vicinity of existing receptors and those that locate new receptors in the vicinity of existing toxics sources.

Accurate quantification of health risks and operational emissions requires detailed site specific information, e.g. type of emission source, proximity of the source to sensitive receptors, and trip generation information. The required level of detail is typically not available until project specific approvals are being granted. Therefore, the District recommends that potential health risks be further reviewed when approving future projects. This recommendation includes projects that would otherwise appear to be exempt from CEQA requirements, such as projects that could be categorically exempt or allowed land uses under current zoning.

Various tools exist to perform a screening level analysis for emissions from new stationary sources, such as prioritization charts, SCREEN3, and various spreadsheets available from the District's website. For projects being impacted by existing emission sources, one screening tool is contained in the ARB Handbook: *Air Quality and Land Use Handbook: A Community Health Perspective*. The document includes a table with recommended buffer distances associated with

various types of common sources. The ARB handbook can found on the ARB's website at: <http://www.arb.ca.gov/ch/landuse.htm>.

8-1
cont'd

If the screening level analysis indicates that toxic air contaminants (TACs) are a concern, the District recommends that a more detailed health risk assessment (HRA) be performed. More information on TACs and HRAs can be obtained by:

- Calling Mr. Leland Villavazo, Supervising Air Quality Specialist, at (559) 230-6000;
- E-mailing inquiries to: hramodeler@valleyair.org; or
- Visiting the District's website at: http://www.valleyair.org/busind/pto/Tox_Resources/AirQualityMonitoring.htm.

5. The following policies/mitigation measures are recommended to mitigate potential health impacts of individual projects:

- a) Development projects resulting in toxic air contaminant emissions will be located an adequate distance from residential areas and other sensitive receptors in accordance to ARB's *Air Quality and Land Use Handbook: A Community Health Perspective*.
- b) A health risk screening and/or assessment will be performed to assess potential risks to sensitive receptors for the following projects:
 - (1) Projects whose proposed locations are within the established buffer distances identified in ARB's handbook;
 - (2) Projects whose land uses are not specifically identified in ARB's handbook (such as shopping centers), but there is sufficient information to reasonably conclude that sensitive receptors would be exposed to significant sources of toxic air contaminants; and
 - (3) Projects that would otherwise appear to be exempt from CEQA requirements, but there is sufficient information to reasonably conclude that sensitive receptors would be exposed to significant sources of toxic air contaminants, such as industrial use projects allowed by right.

Criteria Pollutant Emissions

6. Although construction related impacts from the development of individual projects are temporary in nature, dependent on the size and phasing of the projects, compliance with District Regulation VIII (Fugitive Dust Prohibition) requirements and District Rule 9510 (Indirect Source Review) may not be sufficient to reduce individual project level construction emissions to below the District's thresholds of significance. As such, the District recommends that the Redevelopment Plan include policies which will reduce or mitigate construction and operational impacts to the extent feasible. The following policies/mitigation measures are recommended to reduce or mitigate impacts from criteria pollutant emissions:

- a) Use of off-road construction fleets that can achieve fleet average emissions equal to or less than the Tier II emission standards, as set forth in §2423 of Title 13 of the California Code of Regulations, and Part 89 of Title 40 Code of Federal Regulations. This can be achieved through any combination of uncontrolled engines and engines complying with Tier II and above engine standards.
- b) For projects exceeding the applicability thresholds identified in Section 2.0 of District Rule 9510, a condition of project approval requiring demonstration of compliance with Rule 9510, prior to the issuance of grading and/or building permits.
7. Air quality impacts from projects exceeding the District's thresholds of significance for criteria pollutants can be mitigated to less than significant through payment of funds into an emissions reduction program. To assist project proponents and Lead Agencies in mitigating project specific impacts the District provides opportunity to participate in a Voluntary Emission Reduction Agreement (VERA). Information concerning participation in a VERA can be obtained by calling (559) 230-6000 and asking to speak to a District CEQA staff member.
- 8-1
cont'd

District CEQA staff is available to further discuss this project. If you have any questions or require further information, please call Jessica Willis at (559) 230-5818.

Sincerely,

David Warner
Director of Permit Services

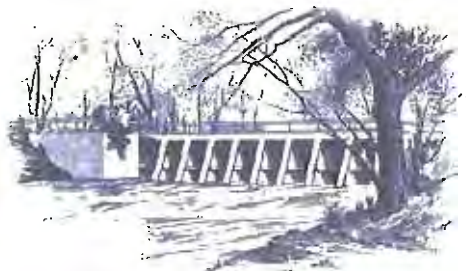


for Annaud Marjollet
Permit Services Manager

DW:jw

Cc: File

E-File



Your Most Valuable Resource - Water



PHONE (559) 233-7161
 FAX (559) 233-8227
 2907 SOUTH MAPLE AVENUE
 FRESNO, CALIFORNIA 93725-2218

May 28, 2010

Mr. David Martin
 City of Fresno
 Redevelopment Agency
 2344 Tulare Street, Suite 200
 Fresno, CA 93721

RE: Notice of Preparation of a Draft Subsequent Environmental Impact Report
 Fresno Merger No. 2 Redevelopment Plan Amendments Project

Dear Mr. Martin:

The Fresno Irrigation District (FID) has received and reviewed the Notice of Preparation of a Draft Subsequent Environmental Impact Report for the Fresno Merger No. 2 Redevelopment Plan Amendments Project (Project). The site is located in downtown Fresno and it encompasses about 1,900 acres within the southwestern part of the City of Fresno. The Project consists of proposed amendments to two redevelopment plans. The Project Area encompasses separate Constituent Project Areas, each of which has its own Constituent Redevelopment Plan: Southwest Fresno General neighborhood Renewal Area (GNRA) and Fruit/Church. The Project would extend the Agency's ability to acquire property within the Project Area through the use of eminent domain and would amend specific time and financial limits for the Constituent Project Areas. We appreciate the opportunity to review and comment on the subject documents for the proposed project. Your proposed project is a significant development and requires thorough and careful consideration of all of the potential impacts. Our comments are as follows:

1. FID has several canals within the Fresno Merger No. 2 area as shown on the attached FID exhibit map, including Lower Dry Creek No. 77, Fanning No. 76, Braly No. 14, and Fresno Colony No. 24. These canals range from smaller diameter pipelines to large open canals. In many cases, the existing facilities will need to be relocated to accommodate a new urban development which will require a new pipeline and a new exclusive easement. FID will impose the same conditions on future projects as it would with any other project located within the

9-1

BOARD OF
 DIRECTORS

President JEFFREY G. BOSWELL, Vice-President JEFF NEELY
 STEVE BALLS, RYAN JACOBSEN, GEORGE PORTER, General Manager GARY R. SERRATO

City of Fresno and FID. FID will require that it review and approve all maps and plans which impact FID canals and easements.

2. FID's facilities that are within the Fresno Merger No. 2 area site carry irrigation water for FID users, recharge water for the City of Fresno, and flood waters during the winter months. In addition to FID's facilities, private facilities also traverse portions of the proposed development site.
3. The majority of the Southwest GNRA portion of the proposed project is located within a portion of the City of Fresno that is outside of the FID service area with a small portion being located inside of the FID service area. The Fruit/Church portion of the proposed project is located entirely inside of the FID service area. See the attached FID exhibit maps as reference. Surface water is not allocated to those areas outside of the FID service area by FID for the City's use. The Subsequent EIR will be based on the initial 1998 EIR. Since the adoption of the 1998 EIR, there are new regulations, local standards, and statutes in effect as well as new circumstances that result in new information. As such the City's Urban Water Management Plan was updated in 2008. The Urban Water Management Plan calls for the City to balance its water usage by 2025. It was not clear whether the Urban Water Management Plan accounted for high water consumption by projects like the one proposed within the Project area. If not, a balanced water supply will be more difficult to achieve and the potential impacts must be evaluated.
4. The potential for increase in water consumption by the project will result in either additional groundwater overdraft or the shifting of water supplies to this area from other areas within the City's water system. There is a significant cone of depression beneath the Cities of Fresno and Clovis, and especially underneath the Fresno downtown area. Since the Urban Water Management Plan states that the City will have a balanced water supply by 2025, it is assumed that other areas within the City, including those within FID, are willing to use less water in order for this project to proceed. Is that truly the case? If not, FID is concerned that the increased water demand due to a change in land use will have a significant impact to the groundwater quantity and/or quality underneath the City of Fresno, FID and the Kings Groundwater Sub-basin. The DEIR should analyze these impacts.
5. According to the City's Urban Water Management Plan, the City of Fresno is currently in the process of planning projects which will enable increased use of available surface water supplies and recycled water, and eliminate groundwater overdraft. It is projected that total water supplies and demands will be balanced by the year 2025. FID would like to see the City keep progressing with this goal, but FID is concerned that projects like the one proposed will inhibit the City's

9-1
cont.

9-2

9-3

9-4

Mr. David Martin
Re: Fresno Merger No. 2 Draft SEIR
May 28, 2010
Page 3 of 3

progress to balancing the water usage, if the necessary offsets for the increased water demands are not provided.

9-4
9-4
cont.
cont.

6. The DEIR should consider whether the Developer should be responsible to increase the groundwater recharge capabilities in the area and/or purchase of additional water supplies to offset the additional demand. The DEIR may consider making improvements to a nearby FMFCD basin where surface water could be used to recharge the groundwater table. There are several improvements that could provide the necessary mitigation including constructing a new recharge basin in the nearby area, recycling more water, acquiring additional water supplies, and increasing the capacity of a nearby FMFCD basin.

9-5
9-5

Thank you for the opportunity to review and comment on the subject DEIR. We appreciate your consideration of our comments and look forward to receiving responses to them. Should you have any questions, please do not hesitate to contact me at bstretch@fresnoirrigation.com or (559) 233-7161 ext. 318.

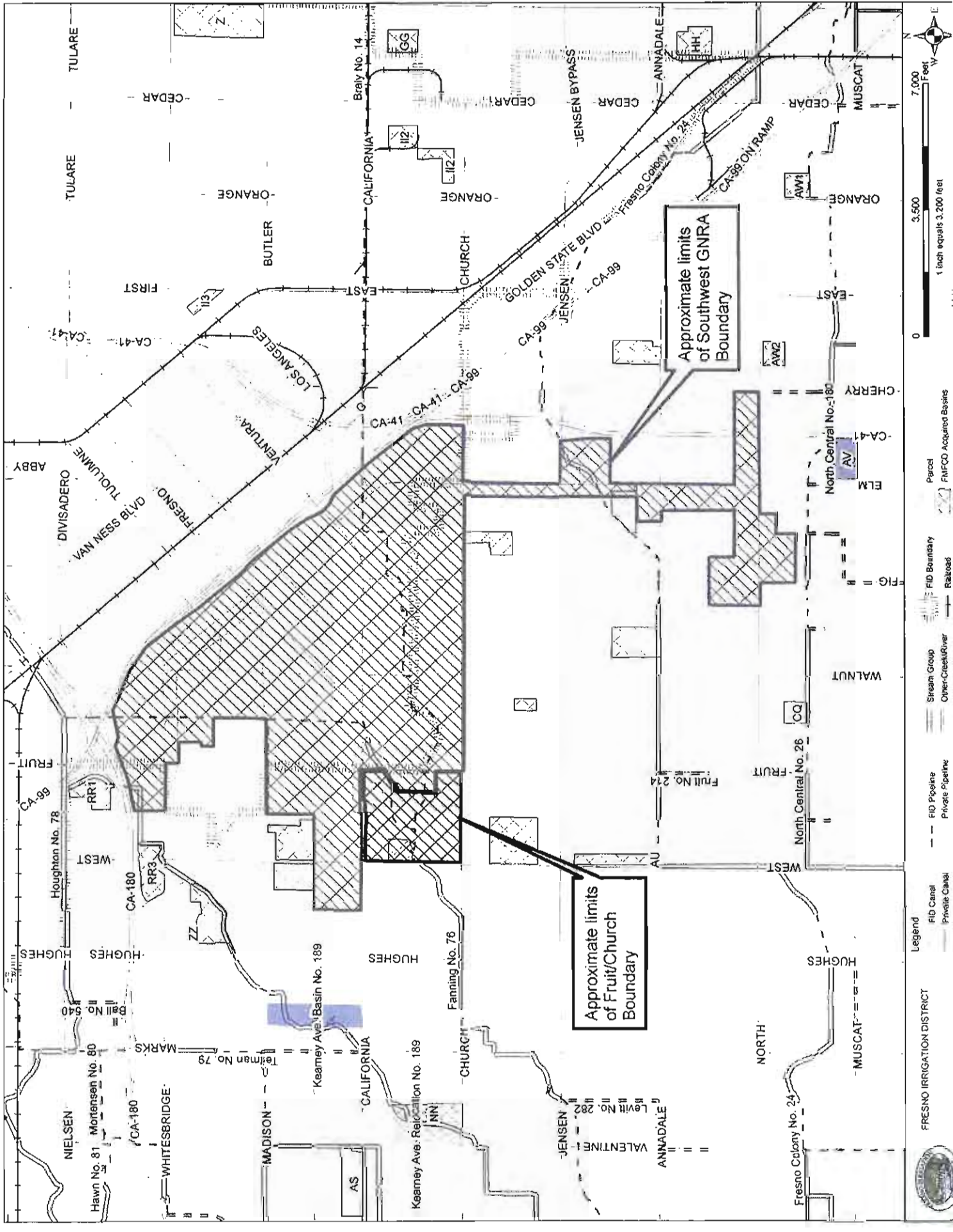
Sincerely,



William R. Stretch, P.E.
Chief Engineer

Attachment

cc: City of Fresno – Planning & Development



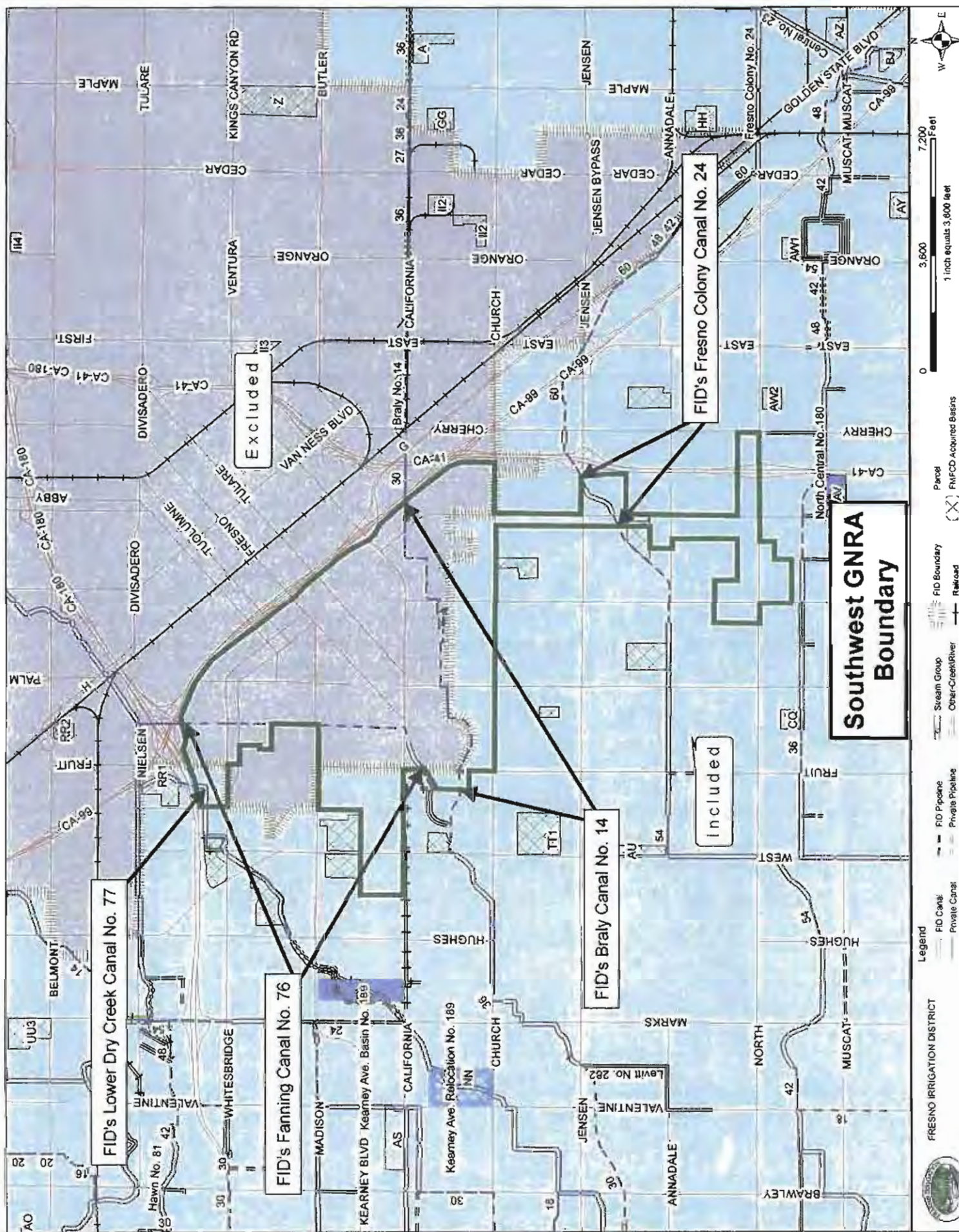
Approximate limits of Fruit/Church Boundary

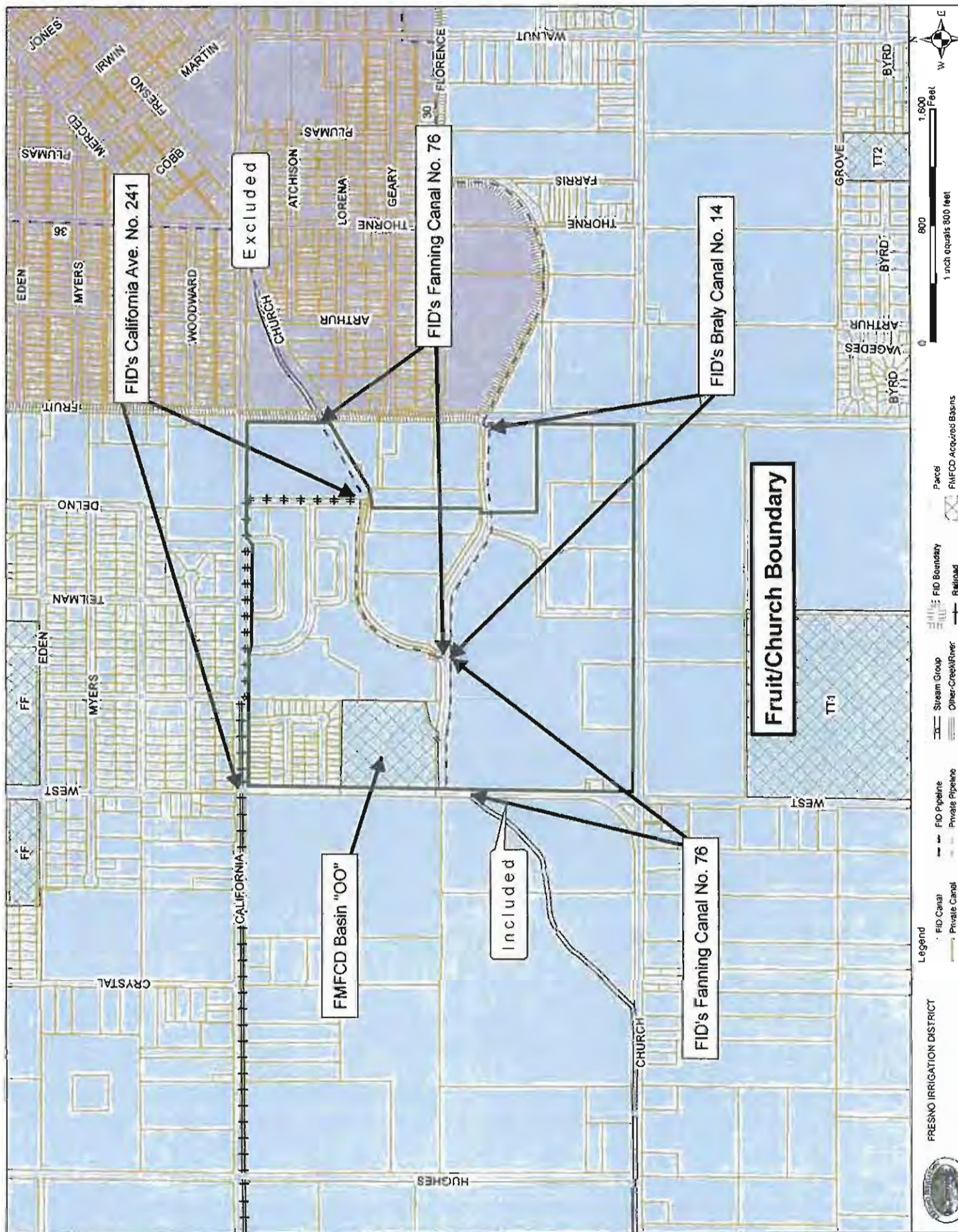
Approximate limits of Southwest GNRA Boundary

FRESNO IRRIGATION DISTRICT

- Legend
- FID Canal
 - FID Pipeline
 - Stream Group
 - FID Boundary
 - Parcel
 - Other-Creek/Over
 - Private Pipeline
 - Railroad
 - RMFCD Acquired Basins







Appendix 12: Final SEIR

**Fresno Merger No. 2 Redevelopment Plan
Amendments Project**

**Final Subsequent
Environmental Impact Report**

State Clearinghouse #2010041058

Prepared for:

Redevelopment Agency of the City of Fresno
2344 Tulare Street, Suite 200
Fresno, CA 93721
Contact: David Martin
(559) 621-7630

Prepared by:

ICF Jones & Stokes
5558 California Avenue, Suite 310
Bakersfield, CA 93309
Contact: Steve Esselman
(661) 859-1852

October 2010

ICF Jones & Stokes. 2010. *Fresno Merger No. 2 Redevelopment Plan Amendments Project: Final Environmental Impact Report*. State Clearinghouse #2010041058. October. (ICF J&S 00438.10.) Bakersfield, CA. Prepared for Redevelopment Agency of the City of Fresno.

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Acronyms and Abbreviations

Agency	Redevelopment Agency of the City of Fresno
CEQA	California Environmental Quality Act
City	City of Fresno
DPR	California Department of Parks and Recreation
Draft SEIR	Draft Subsequent Environmental Impact Report
Final SEIR	Final Subsequent Environmental Impact Report
NOA	Notice of Availability
Project	Fresno Merger No. 1 Redevelopment Plan Amendments Project

Chapter 1

Introduction

Purpose

The Redevelopment Agency of the City of Fresno (Agency) and the City of Fresno (City) are Co-Lead Agencies pursuant to the California Environmental Quality Act (CEQA), and they have prepared this Final Subsequent Environmental Impact Report (Final SEIR) for the Fresno Merger No. 2 Redevelopment Plan Amendments Project (Project). This Final SEIR includes all the contents required as outlined in Section 15132 of the State CEQA Guidelines, including:

- the Draft Subsequent Environmental Impact Report (Draft SEIR) or a revision to the draft;
- comments and recommendations received on the Draft SEIR;
- a list of persons, organizations, and public agencies commenting on the Draft SEIR;
- the responses of the Lead Agency to significant environmental points raised in the review and consultation process; and
- any other information added by the Lead Agency.

This Final SEIR for the Project consists of comments on and responses to comments on the Draft SEIR. Based on the comments, it was determined by the Co-Lead Agencies that no revisions to the Draft SEIR would be required; therefore, an errata is not presented in this Final SEIR. This Final SEIR is intended to be used along with the Draft SEIR, which is incorporated by reference and bound separately.

The Draft SEIR prepared for the Project was circulated for public review from July 7, 2010, through August 21, 2010. Comments were received during the public review period. Copies of these letters are provided in Chapter 2, “Comments Received and Responses to Comments,” of this Final SEIR.

The Co-Lead Agencies may also adopt Findings of Fact and a Statement of Overriding Considerations if their deliberations concerning the Project result in approval of the Project.

This Final SEIR assembles all the environmental data and analyses that have been prepared for the Project, including public and agency comments on the Draft SEIR and responses by the Co-Lead Agencies to those comments. The Draft SEIR and technical appendices are available for public review at the Agency's office at 2344 Tulare Street, Suite 200, Fresno, CA 93721. The intent of the Final SEIR is to provide a forum to hear and address comments pertaining to the analysis contained in the Draft SEIR and to provide an opportunity for clarification, corrections, or minor revisions to the Draft SEIR as needed.

The evaluation and response to comments are an important part of the CEQA process because they allow the following:

- the opportunity to review and comment on the methods of analysis contained in the Draft SEIR;
- the ability to detect any omissions that may have occurred during the preparation of the Draft SEIR;
- the ability to check the accuracy of the analysis contained within the Draft SEIR;
- the ability to share expertise; and
- the ability to discover public concerns.

Process

The Draft SEIR was distributed to various public agencies, organizations, and individuals on July 7, 2010, for a 45-day public review period established by the State Clearinghouse of the Governor's Office of Planning and Research. The review period ended on August 21, 2010. The Co-Lead Agencies used several methods to elicit comments on the Draft SEIR. The Notice of Availability (NOA) and/or copies of the Draft SEIR were mailed to various agencies and organizations and to individuals who had previously requested such notice. The Draft SEIR was available for review at the following locations:

Redevelopment Agency of the City of Fresno
2344 Tulare Street, Suite 200
Fresno, CA 93721

Fresno City Clerk
2600 Fresno Street, 2nd Floor
Fresno, CA 93721

Fresno County Library
2420 Mariposa Street
Fresno, CA 93721

The Draft SEIR was also made available for review on the Agency's website at www.fresnorda.com. Pursuant to Section 15088 of the State CEQA Guidelines, the Co-Lead Agencies for the Project have reviewed all comments received on the Draft SEIR. Responses to these comments are contained in Chapter 2, "Comments Received and Responses to Comments," of this Final SEIR.

Chapter 2

Comments Received and Responses to Comments

Introduction

In accordance with Section 15088 of the State CEQA Guidelines, the Co-Lead Agencies have evaluated the comments received on the Draft SEIR for the Project, and have prepared written responses to these comments. This chapter provides copies of the comments received during the public review process and provides an evaluation and written response for each of these comments.

Comments Received

Before the close of the public review period for the Project on August 21, 2010, the Co-Lead Agencies received three comment letters and one memorandum from government agencies. Additionally, one comment letter (Comment Letter E) from a government agency was received after the close of the public review period; as a courtesy, the Co-Lead Agencies have responded to this letter in this Final SEIR. The Governor's Office of Planning and Research sent a letter (Comment Letter F) stating that their office received a comment from the Native American Heritage Commission during the public review period and that the Co-Lead Agencies have complied with the draft environmental review requirements pursuant to CEQA. The letter from the Native American Heritage Commission is Comment Letter B, and comments in the letter have been responded to in this Final SEIR.

The commenting parties are listed below. Each of the commenting parties is labeled with a letter corresponding to the comment letter or memorandum and the responses to comments are provided herein.

- A. The County of Fresno, County Free Library, Pat Pondexter, Interim County Librarian (Memorandum Dated July 21, 2010)
- B. Native American Heritage Commission, Dave Singleton, Program Analyst (Letter Dated July 21, 2010)
- C. Fresno Metropolitan Flood Control District, Mark Will, Engineer III (Letter Dated August 2, 2010)

- D. San Joaquin Valley Air Pollution Control District, David Warner, Director of Permit Services, and Arnaud Marjollet, Permit Services Manager (Letter Dated August 21, 2010)
- E. City of Fresno Historic Preservation Commission, Kevin Fabino, Secretary (Letter Dated August 24, 2010)
- F. Governor's Office of Planning and Research, Scott Morgan, State Clearinghouse Director (Letter Dated August 23, 2010)

Comments and Responses to Comments

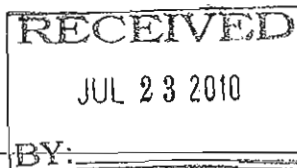
This section includes responses to all written comments on the Draft SEIR received by the Co-Lead Agencies in accordance with Section 15088 of the State CEQA Guidelines. In accordance with the State CEQA Guidelines, responses are prepared for these comments that address the sufficiency of the document regarding the identification of environmental impacts and methods to avoid or mitigate those impacts. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good-faith effort at full disclosure is made in an EIR (including SEIRs). Additionally, it should be noted that comments by a public agency should be limited to those aspects of a project that are within its area of expertise or that are required to be carried out or approved by the agency, and such comments must be supported by substantial evidence. (State CEQA Guidelines Section 15204.)

The Co-Lead Agencies have determined that no revisions to the Draft SEIR are merited based on the comments received; therefore, an errata section is not included in this Final SEIR. The Co-Lead Agencies have also determined that none of the comments or responses triggers recirculation of the Draft SEIR under State CEQA Guidelines Section 15088.5.



INTER OFFICE MEMO

County Free Library



DATE: July 21, 2010

TO: Marlene Murphey, Executive Director

FROM: Pat Pondexter, Interim County Librarian

SUBJECT: **Fresno Merger No. 2 Redevelopment Plan**

A-1

This Plan contemplates a full survey of historic buildings and structures within its area, including investigation of archaeological resources as needed. As contemplated, the survey is adequate for its stated purposes.

**A. The County of Fresno, County Free Library, Pat
Pondexter, Interim County Librarian
(Memorandum Dated July 21, 2010)**

Response to Comment A-1

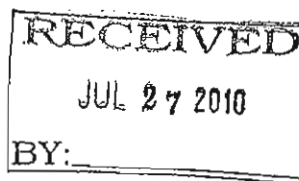
The commenter is thanked for the review of the Draft SEIR. The comment has been noted for the record.

STATE OF CALIFORNIA

Arnold Schwarzenegger, Governor

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
 SACRAMENTO, CA 95814
 (916) 653-6251
 Fax (916) 657-5390
 Web Site www.nahc.ca.gov
 e-mail: ds_nahc@pacbell.net



July 21, 2010

Mr. David Martin

REDEVELOPMENT AGENCY OF THE CITY OF FRESNO

2344 Tulare Street, Suite 200
 Fresno, CA 93721

Re: SCH#2010041058; CEQA Notice of Completion; draft Supplemental Environmental Impact Report (DSEIR) for the "Fresno Merger No. 2 Redevelopment Plan Amendment Project"; located in the City of Fresno; Fresno County, California.

Dear Mr. Martin:

The Native American Heritage Commission (NAHC) is the state 'trustee agency' pursuant to Public Resources Code §21070 for the protection and preservation of California's Native American Cultural Resources.. (Also see *Environmental Protection Information Center v. Johnson* (1985) 170 Cal App. 3rd 604). The California Environmental Quality Act (CEQA - CA Public Resources Code §21000-21177, amended in 2009) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the California Code of Regulations §15064.5(b)(c)(f) CEQA guidelines). Section 15382 of the CEQA Guidelines defines a significant impact on the environment as "a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ... objects of historic or aesthetic significance." In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE)', and if so, to mitigate that effect. To adequately assess the project-related impacts on historical resources, the Commission recommends the following.

B-1

The Native American Heritage Commission did perform a Sacred Lands File (SLF) search in the NAHC SLF Inventory, established by the Legislature pursuant to Public Resources Code §5097.94(a) and Native American Cultural resources were not identified within the APE identified for the project. Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries once a project is underway. Enclosed are the names of the nearest tribes and interested Native American individuals that the NAHC recommends as 'consulting parties,' for this purpose, that may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We recommend that you contact persons on the attached list of Native American contacts. A Native American Tribe or Tribal Elder may be the only source of information about a cultural resource.. Also, the NAHC recommends that a Native American Monitor or Native American culturally knowledgeable person be employed whenever a professional archaeologist is employed during the 'Initial Study' and in other phases of the environmental planning processes.. Furthermore we suggest that you contact the California Historic Resources Information System (CHRIS) at the Office of Historic Preservation (OHP) Coordinator's office (at (916) 653-7278, for referral to the nearest OHP Information Center of which there are 11.

Consultation with tribes and interested Native American tribes and interested Native American individuals, as consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA (42 U.S.C. 4321-43351) and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 [f] *et seq.*), 36 CFR Part 800.3, the President's Council on Environmental Quality (CSQ; 42 U.S.C. 4371 *et seq.*) and NAGPRA (25 U.S.C. 3001-3013), as appropriate. The 1992 *Secretary of the Interior's Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including *cultural landscapes*.

Lead agencies should consider avoidance, as defined in Section 15370 of the California Environmental Quality Act (CEQA) when significant cultural resources could be affected by a project. Also, Public Resources Code Section 5097.98 and Health & Safety Code Section 7050.5 provide for provisions for accidentally discovered archeological resources during construction and mandate the processes to be followed in the event of an accidental discovery of any human remains in a project location other than a 'dedicated cemetery. Discussion of these should be included in your environmental documents, as appropriate.

The authority for the SLF record search of the NAHC Sacred Lands Inventory, established by the California Legislature, is California Public Resources Code §5097.94(a) and is exempt from the CA Public Records Act (c.f. California Government Code §6254.10). The results of the SLF search are confidential. However, Native Americans on the attached contact list are not prohibited from and may wish to reveal the nature of identified cultural resources/historic properties. Confidentiality of 'historic properties of religious and cultural significance' may also be protected under Section 304 of the NHPA or at the Secretary of the Interior's discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C. 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APE and possibly threatened by proposed project activity.

CEQA Guidelines, Section 15064.5(d) requires the lead agency to work with the Native Americans identified by this Commission if the initial Study identifies the presence or likely presence of Native American human remains within the APE. CEQA Guidelines provide for agreements with Native American, identified by the NAHC, to assure the appropriate and dignified treatment of Native American human remains and any associated grave liens. Although tribal consultation under the California Environmental Quality Act (CEQA; CA Public Resources Code Section 21000 – 21177) is 'advisory' rather than mandated, the NAHC does request 'lead agencies' to work with tribes and interested Native American individuals as 'consulting parties,' on the list provided by the NAHC in order that cultural resources will be protected. However, the 2006 SB 1059 the state enabling legislation to the Federal Energy Policy Act of 2005, does mandate tribal consultation for the 'electric transmission corridors. This is codified in the California Public Resources Code, Chapter 4.3, and §25330 to Division 15, requires consultation with California Native American tribes, and identifies both federally recognized and non-federally recognized on a list maintained by the NAHC

Health and Safety Code §7050.5, Public Resources Code §5097.98 and Sec. §15064.5 (d) of the California Code of Regulations (CEQA Guidelines) mandate procedures to be followed, including that construction or excavation be stopped in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery until the county coroner or

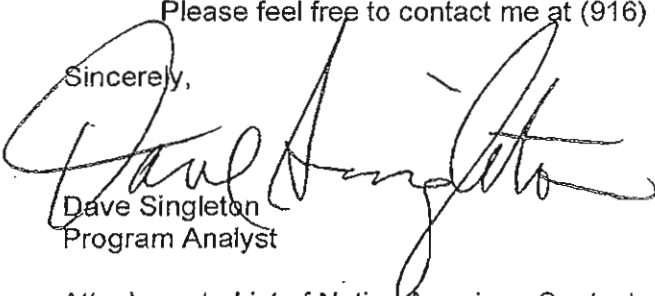
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medical examiner can determine whether the remains are those of a Native American. . Note that §7052 of the Health & Safety Code states that disturbance of Native American cemeteries is a felony.

Again, Lead agencies should consider avoidance, as defined in §15370 of the California Code of Regulations (CEQA Guidelines), when significant cultural resources are discovered during the course of project planning and implementation

Please feel free to contact me at (916) 653-6251 if you have any questions.

Sincerely,



Dave Singleton
Program Analyst

Attachment: List of Native American Contacts

Cc: State Clearinghouse

Native American Contacts
Fresno County
July 21, 2010

Big Sandy Rancheria of Mono Indians
Liz Hutchins Kipp, Chairperson
P.O. Box 337 / 37302 Western Mono
Auberry, CA 93602
ck@bigsandyrancheria.com
(559) 855-4003
(559) 855-4129 Fax

Kings River Choinumni Farm Tribe
John Davis, Chairman
1064 Oxford Avenue Foothill Yokuts
Clovis, CA 93612-2211 Choinumni
559-324-9908

Dumna Wo-Wah Tribal Government
Keith F. Turner, Tribal Contact
P.O. Box 306 Dumna/Foothill
Auberry, CA 93602 Mono
(559) 855-3128 Home
(559) 696-0191 (Cell)

Dunlap Band of Mono Historical Preservation Soc
Mandy Marine, Board Chairperson
P.O. Box 18 Mono
Dunlap, CA 93621
mandy_marine@hotmail.
com
559-274-1705
559-252-0198 - fax

Sierra Nevada Native American Coalition
Lawrence Bill, Interim Chairperson
P.O. 125 Mono
Dunlap, CA 93621 Foothill Yokuts
(559) 338-2354

Dumna Wo-Wah Tribal Government
Jim Redmoon - Cultural Resources Representative
724 W. Fountain Dumna/Foothill
Fresno, CA 93705 Choinumni
559-243--9926

Table Mountain Rancheria
Bob Pennell, Cultural Resources Director
P.O. Box 410 Yokuts
Friant, CA 93626-0177
(559) 325-0351
(559) 217-9718 - cell
(559) 325-0394 FAX

Chowchilla Tribe of Yokuts
Jerry Brown
10553 N. Rice Road North Valley Yokuts
Fresno, CA 93720
559-434-3160

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code. Also, federal National Environmental Policy Act (NEPA), National Historic Preservation Act, Section 106 and federal NAGPRA. And 36 CFR Part 800.3.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2010041058; CEQA Notice of Completion; draft Supplemental Environmental Impact Report (DSEIR) for the Fresno Merger No. 2 Redevelopment Plan Amendment Project; located in the City of Fresno Redevelopment Area; Fresno County,

Native American Contacts
Fresno County
July 21, 2010

Cold Springs Rancheria of Mono Indians
Carol Bill - Tribal Administrator

PO Box 209 Mono
Tollhouse, CA 93667
coldsprgstribes@netpt
(559) 855-5043

(559) 855-4445 - FAX

The Choinumni Tribe of Yokuts
Rosemary Smith, Chairperson

1505 Barstow Choinumni
Clovis, CA 96311 Foothill YoKut
monoclovis@yahoo.com
559-862-5757

Frank Marquez

P.O. Box 565 Mono
Friant, CA 93626 Foothill Yokut
559-822-3785
559-213-6543 - cell
francomarquez@pmr.org

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code. Also, federal National Environmental Policy Act (NEPA), National Historic Preservation Act, Section 106 and federal NAGPRA. And 36 CFR Part 800.3.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2010041058; CEQA Notice of Completion; draft Supplemental Environmental Impact Report (DSEIR) for the Fresno Merger No. 2 Redevelopment Plan Amendment Project; located in the City of Fresno Redevelopment Area; Fresno County,

B. Native American Heritage Commission, Dave Singleton, Program Analyst (Letter Dated July 21, 2010)

Response to Comment B-1

The commenter states that the Native American Heritage Commission (NAHC) is the state trustee agency for the protection and preservation of the state's Native American cultural resources. The commenter also states that the NAHC searched their Sacred Lands File (SLF) and determined that Native American cultural resources were not identified within the Project Area. The commenter is thanked for the review of the Draft SEIR. The comments have been noted for the record.

Response to Comment B-2

The NAHC recommends that the list of tribal contacts attached to their letter be contacted. The commenter goes on to state that the Project must be in compliance with applicable NEPA, CEQA, and other regulations regarding the consideration of cultural resources avoidance, NAHC's authority over the SLF, requirements if unknown resources and/or human remains are unearthed during future development. It is not necessary at this time to contact the Native American contacts on the list attached to the letter. The Project does not result in project-level development; rather, it would programmatically facilitate possible future development beyond the current time limits. At the time that future development undergoes its own project-specific and separate CEQA review, the NAHC will again be contacted and the list of Native American contacts, if supplied by the NAHC, for a specific future development would be contacted. The Project is in compliance with all applicable rules regarding Native American cultural resources.



FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

RECEIVED
AUG 04 2010

File 550.30 "OO", "TT"

August 2, 2010

Mr. David Martin, Project Manager
City of Fresno, Redevelopment Agency
2344 Tulare Street, Suite 200
Fresno, CA 93721

Dear Mr. Martin,

**Fresno Merger No. 2 Redevelopment
Plan Amendments and Draft Subsequent
Environmental Impact Report
Drainage Areas "OO" and "TT"**

C-1

Fresno Metropolitan Flood Control District staff has reviewed the comments and conditions as written in the "Initial Study and Draft SEIR" document. District staff is in agreement with those conditions set forth pertaining to the District, and finds them to be in conformance to previous conditions supplied to the Redevelopment Agency by District staff on May 14, 2010

Thank you for the opportunity to comment. If you should have any questions or comments, please contact the District at (559) 456-3292

Respectfully,

A handwritten signature in black ink, appearing to read "Mark Will".

Mark Will
Engineer III, R.C.E.

MW/lrl

C. Fresno Metropolitan Flood Control District, Mark Will, Engineer III (Letter Dated August 2, 2010)

Response to Comment C-1

The commenter is thanked for the review of the Draft SEIR. The comment has been noted for the record.

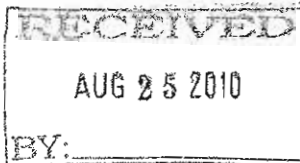


San Joaquin Valley

AIR POLLUTION CONTROL DISTRICT



August 23, 2010



David Martin
City of Fresno
Redevelopment Agency
2344 Tulare Street, Suite 200
Fresno, CA 93721

Project: Fresno Merger No. 2 Redevelopment Plan Amendments
District CEQA Reference No: 20100227

Dear Mr. Martin.

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the Draft Subsequent Environmental Impact Report (EIR) for the project referenced above. The project includes amendments to existing redevelopment plans for the Southwest Fresno General Neighborhood Renewal Area and Fruit/Church project areas within the city of Fresno. The District offers the following comments and recommendations:

Comments

D-1

1. The District appreciates the City's dedication to reducing impacts on air quality through cooperation with the District in implementing District rules and regulation. Mitigation Measure AQ-1 lists several measures requiring compliance with District rules and regulation, including Regulation VIII (Fugitive PM10 Prohibition) and District Rule 9510 (Indirect Source Review). Measure AQ-1 also identifies that, although not required, entering into a VERA with the District as an effective way of reducing a project's impacts. To reduce City staff time responding to project proponent inquiries regarding the District's regulations and aid them in complying with District requirements (ISR, eTRIP, dust control, permitting, etc.) the District recommends that all requests for CEQA comments include project proponent contact information. District receipt of the requested information will allow District staff to contact developers directly and assist them in understanding how to reduce project related impacts on air quality and how to complete the appropriate application process. The District also recommends that the City provide a copy of District comments to the applicant.

Sayed Sadredin

Executive Director/Air Pollution Control Officer

Northern Region
4800 Enterprise Way
Modesto, CA 95356-8718
Tel: (209) 557-6400 FAX: (209) 557-6475

Central Region (Main Office)
1990 E. Gettysburg Avenue
Fresno, CA 93728-0244
Tel: (559) 230-6000 FAX: (559) 230-6061

Southern Region
34946 Flyover Court
Bakersfield, CA 93308-9725
Tel: 661-392-5500 FAX: 661-392-5585

D-2

2. Accurate quantification of health risks and operational emissions requires detailed site specific information, e.g. type of emission source, proximity of the source to sensitive receptors, and trip generation information. The required level of detail is typically not available until project specific approvals are being granted. The EIR states that each future development proposal within the project area would have to undergo a separate project-level CEQA analysis (page 3A-17). It further states that these projects would have to conform to the District's toxic air contaminant (TAC) regulation and CEQA documents submitted to the District for review would include information sufficient to allow a preliminary assessment of potential health impacts. The District appreciates the opportunity to work with the City and Redevelopment Agency in identifying potential health risks associated with new developments. CEQA referral documents should be submitted to the District's CEQA Division located at the District's Central Office. To minimize paper consumption and help expedite project review, the District recommends that CEQA referrals be submitted to CEQA staff via e-mail at CEQA@valleyair.org.

If you have any questions or require further information, please call Jessica Willis at (559) 230-5818

Sincerely,

David Warner
Director of Permit Services



Arnaud Marjollet
Permit Services Manager

DW:jw

**D. San Joaquin Valley Air Pollution Control District,
David Warner, Director of Permit Services, and
Arnaud Marjollet, Permit Services Manager
(Letter Dated August 21, 2010)**

Response to Comment D-1

The commenters state that the San Joaquin Valley Air Pollution Control District (SJVAPCD) appreciates the City's dedication to reducing impacts by implementing its rules and regulations. The commenters urge that the City provide a project proponent's contact information when submitting future CEQA documents in order allow the SJVAPCD to contact proponents to assist them understanding how to reduce air quality impacts and complete the appropriate application process. The commenters are thanked for the review of the Draft SEIR. The comments have been noted for the record.

Response to Comment D-2

The commenters acknowledge that the Draft SEIR states that future development would have to undergo separate project-level CEQA analyses and would have to conform to toxic air contaminant regulation and provide sufficient detail to make a preliminary assessment of potential health risks. The commenters are thanked for the review of the Draft SEIR. The comments have been noted for the record.



Development and Resource Management Department

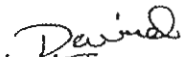
2600 Fresno Street, Third Floor
Fresno, California 93721-3604
(559) 621-8003 FAX (559) 498-1026

John Dugan
Director

August 24, 2010

Please Reply To:
Kevin Fabino
(559) 621-8046

David Martin, Project Manager
Redevelopment Agency of the City of Fresno
2344 Tulare Street, Suite 200
Fresno, California 93721

Dear  Mr. Martin,

SUBJECT: COMMENTS FROM THE HISTORIC PRESERVATION COMMISSION ON THE DRAFT
SUBSEQUENT ENVIRONMENTAL IMPACT REPORT (SEIR) FOR THE FRESNO
MERGER NO. 2 REDEVELOPMENT PLAN AMENDMENTS (STATE CLEARINGHOUSE
NO. 2010041058)

E-1

On behalf of the Historic Preservation Commission we wish to thank you for the opportunity to review the Fresno Merger No. 2 Redevelopment Plan Amendment Project, Draft Subsequent Environmental Impact Report. The Historic Preservation Commission at their regularly scheduled meeting of August 23, 2010, reviewed, formulated comments and accepted the Redevelopment Agency of the City of Fresno, Fresno Merger No. 2 Redevelopment Plan Amendment Project, Draft Subsequent Environmental Impact Report, SCH No. 2010041058, July 2010, pursuant to FMC 12-1606(b)(5)(6)(7). The Commission also directed staff to prepare the following comments for your consideration.

E-2

1. We request the EIR include a discussion of the 1998 general plan policies and how this subsequent document is consistent with the 2025 Fresno General Plan.

E-3

2. We request the Agency review the Draft Master Environmental Impact Report No. 10130, 2025 Fresno General Plan, Chapter V, J-3-(a)J-4 (Pg. V-J5) for consistency with the proposed modification to mitigation measure CR-1 and CR-2.

E-4

3. We request consideration of adding a mitigation measure which explicitly references the use of the Department of Interior Standards and Guidelines, related to the treatment of historic resources.

4. We request the Redevelopment Agency, at their expense, prepared and present to the Historic Preservation Commission an annual report which discusses status and implementation of the mitigation monitoring checklist.

Comments – Fresno Merger No. 2
Historic Preservation Commission
August 24, 2010
Page 2

E-4
cont. If you have any questions, please feel free to contact me at the above number or by email at
Kevin.Fabino@fresno.gov.

Sincerely,

CURRENT PLANNING DIVISION

A handwritten signature in black ink, appearing to read 'Kevin Fabino', with a stylized, elongated flourish extending to the right.

Kevin Fabino, Secretary
Historic Preservation Commission

E. City of Fresno Historic Preservation Commission, Kevin Fabino, Secretary (Letter Dated August 24, 2010)

Response to Comment E-1

The commenter states that the Historic Preservation Commission (HPC) requests that this Final SEIR include a discussion of the City of Fresno 2025 General Plan policies and how the Project is consistent with the General Plan. The requested discussion is provided below.

As set forth below, the Project is consistent with the General Plan. The Project complies with General Plan Goals 3 and 15, as well as its Historic Resources Objectives and Policies (Objectives G-10 and G-11 and related policies). The following is a discussion of how the Project is compliant with these goals, objectives, and policies.

Goal 3: Preserve and revitalize neighborhoods, the downtown, and historical resources.

The Project is consistent with Goal 3. The Project mitigation measures provide for an intensive-level survey of the Project Area and provide a survey protocol to determine whether historically and architecturally significant resources are eligible for inclusion in the National Register, State Register, and/or Local Register. The surveys required by the mitigation measures will also guide in the determination of whether the historical resource falls within one of the definitions of a "historic resource" pursuant to State CEQA Guidelines Section 15064.5, which will ensure that the impacts on such historic resources are fully disclosed and feasible site-specific mitigation measures are identified and applied in future site-specific project and environmental reviews. Use of the protocol for the successful inclusion of a historic resource into one of these registers would preserve historic resources. The Project does not affect the City's existing policies on the revitalization of areas. The Project does not supersede such policies. Therefore, the Project is consistent with Goal 3 of the General Plan.

Goal 15: Recognize, respect, and plan for Fresno's cultural, social, and ethnic diversity.

The Project is consistent with Goal 15. Mitigation Measure CR-1 provides for the identification of potentially significant historic resources and an explicit methodology to OHP standards for the inclusion of historic resources into the National Register, State Register, and/or Local Register. The mitigation measure requires a survey that will guide in the determination of whether the historical resource falls within one of the definitions of a "historic resource" pursuant to State CEQA Guidelines 15064.5, which will ensure that the impacts on such historic resources are fully disclosed and feasible site-specific mitigation

measures are identified and applied in future site-specific project and environmental reviews. As a result, the Project supports the City's goal by recognizing, respecting, and providing a plan for Fresno's cultural, social, and ethnic diversity through the careful consideration of its historic resources.

Objective G-10: Foster community pride, attract visitors and tourists to distinctive areas, provide recreational opportunities, enhance educational opportunities, and augment the body of scientific and historic knowledge through identification, appropriate recognition, and promotion of historic and cultural resources.

Policy G-10-a deals with establishing and reviewing criteria for characterizing historic resources. The proposed mitigation measures are consistent with the policy that the City will establish and review criteria for characterizing historic resources. For instance, the mitigation measures provide for an intensive-level survey of a large portion of the Project Area and provide a survey protocol to determine whether historically and architecturally significant resources are eligible for inclusion in the National Register, State Register, and/or Local Register. Use of the protocol for the successful inclusion of a historic resource into one of these registers would assist in characterizing historic resources.

Policy G-10-b requires that historic resources be considered. The Project's mitigation measures do consider historic resources.

Policy G-10-c requires that unique prehistoric resources shall be considered. The Project's Mitigation Measures CR-1 and CR-2 both consider prehistoric resources.

Policy G-10-d requires that a survey of the General Plan area be conducted. To assist in that effort, the Project requires an intensive-level survey of a significant portion of the Project Area, and provides a survey protocol to determine whether historically and architecturally significant resources are eligible for inclusion in the National Register, State Register, and/or Local Register.

Policy G-10-e encourages the facilitation of community awareness of historic and cultural resources and public participation in related programs. The Project facilitates community awareness by requiring an intensive-level survey of a significant portion of the Project Area, as well as a survey protocol for Development Projects. These surveys will increase community awareness of Fresno's cultural resources. The Project does not discourage public participation in the survey process.

For the reasons set forth above, the Project is consistent with Objective G-10 and its policies.

Objective G-11: Safeguard Fresno's heritage by preserving resources which reflect important cultural, social, economic, and architectural features so

that community residents will have a foundation upon which to measure and direct physical change.

Policy G-11-a requires the continuation and expansion of the City's comprehensive historic preservation program. Completion of the intensive historic surveys supports expansion of the City's comprehensive historic preservation program by identifying historic resources that are worthy of protection.

Policy G-11-b states that the City's HPC shall take a lead role in historic preservation activities. The Project makes no changes to the responsibilities and activities of the HPC or the City Council. Additionally, Mitigation Measure CR-2 requires that for "designated historical resources and those resources determined to be eligible for local, state, or federal level designation, mitigation and conditions of approval shall be conducted by the City's Planning and Development Department in concert with the City's Historic Preservation staff and with recommendations of the City's HPC." Therefore, the Project includes the HPC in a leading role in the evaluation process of cultural resources.

Policy G-11-c seeks the implementation and broadening of the resource conservation program as set forth by the Preservation of Historic Structures Ordinance. The Project's mitigation measures provide a survey protocol for consideration of historic resources. Future development would need to be in compliance with the Historic Preservation Ordinance, and other applicable local and state laws. Compliance with the CEQA review process and implementation of the Project mitigation measures will overlap with requirements of the Historic Preservation Ordinance to some extent. However, both processes are dedicated to protection of historic resources and do not conflict.

Policy G-11-d states that prehistoric resources shall be protected and provides general steps for such protection (e.g., if previously unknown prehistoric resources are found, then all work must stop immediately and a qualified expert must assess the find). Mitigation Measures CR-1 and CR-2 both consider prehistoric resources, and the language in the measures complements and is consistent with the language found in Policy G-11-d.

Policy G-11-e states that significant prehistoric finds shall be removed or preserved *in situ*. The Project's mitigation measures complement and are consistent with the language found in Policy G-11-e.

Policy G-11-f seeks the establishment of historic districts and protection of areas with significant architectural and historic resources. Consistent with this policy, the Project's mitigation measures encourage the establishment of historic districts and protection of areas with significant architectural and historic resources by allowing for the consideration of potential historic districts during the intensive surveys for a significant portion of the Project Area, including the Central Area Community Plan area (Mitigation Measure CR-1). Mitigation Measure CR-2 requires surveys for future development projects through the use of the Primary

and District Record forms (California Department of Parks and Recreation [DPR] 523 A and D) outlined in the survey protocol.

Policy G-11-g seeks the achievement of conservation goals through other community plans and programs, such as integrating historic preservation into new development and redevelopment early in the process, screening redevelopment areas for possible historical resources that could be adversely affected, establishing interdepartmental review procedures, allowing the HPC to resolve historic-preservation objective conflicts, and upholding historic-preservation policies included in approved city land use plans. The Project's mitigation measures are consistent with Policy G-11-g.

Policy G-11-h seeks assistance in, or development of, new complementary and cooperative programs to promote the preservation of historic and cultural resources. Developing a new policy is outside the Project's scope; however, the information obtained through the Mitigation Measure CR-1 and CR-2 surveys may facilitate preparation of new programs.

Policy G-11-i seeks the development of methods to facilitate private ownership and upkeep of historic resources and encourages private reinvestment in historic resources. Neither the Project nor the mitigation measures conflict with this policy.

For the reasons set forth above, the Project is consistent with Objective G-11 and its policies.

Response to Comment E-2

The commenter states that the HPC requests that this Final SEIR include a discussion of Mitigation Measure J-4 of the Master EIR for the General Plan (page V-J5) and how the Draft SEIR's Mitigation Measures CR-1 and CR-2 are consistent. Mitigation Measure J-4 states that:

Where maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation, or reconstruction of historical resources will be conducted consistent with the Secretary of Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (Weeks and Grimmer, 1995), the project's impacts on historical resource shall be considered mitigated below a level of significance and thus not significant.

The Secretary of the Interior's Standards were published in 1992. The 1995 *Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings*, by Kay D. Weeks and Anne E. Grimmer, were subsequently developed in cooperation with the National Conference of State Historic Preservation Officers and reviewed by individual State Historic Preservation Offices nationwide. Standard professional practice among historic preservation experts who meet the qualifications set out in the Secretary of the Interior's

Standards for historians, architectural historians, or archaeologists is to reference both of these documents when analyzing whether a project conforms to the Secretary of the Interior's Standards. At the same time, it is important to recognize that while the Secretary of the Interior's Standards are regulations (36 CFR 68), the Weeks and Grimmer publication is a set of guidelines intended to help historic preservation professionals interpret the Secretary of the Interior's Standards; it is neither regulatory nor a part of the Secretary of the Interior's Standards. However, Mitigation Measure J-4 was adopted by the City as a General Plan mitigation and applies throughout the Project area and the rest of the City irrespective of the Draft SEIR.

The City and Agency also note that State CEQA Guidelines Section 15331 establishes a categorical exemption for projects that conform to the Secretary of the Interior's Standards.

A description of the process by which the Lead Agency determines significance under the three classes of resources is redundant to the steps set out in State CEQA Guidelines Section 15064.5. It need not be included in the SEIR.

Response to Comment E-3

The commenter states that the Co-Lead Agencies should consider adding mitigation that explicitly references the use of Department of the Interior Standards and Guidelines related to the treatment of historic resources.

The Draft SEIR accounts for the Secretary of the Interior's Standards by reference to the State CEQA Guidelines, which lists the Secretary of the Interior's Standards as a means of mitigating impacts (see State CEQA Guidelines Section 15064.5[b][3] and 15126.4[b][1]). It is not necessary to identify it separately in the SEIR. Mitigation Measures CR-1 and CR-2 require compliance with CEQA and therefore the Secretary of the Interior's Standards. As noted in Response E-2, Mitigation Measure J-4 already applies throughout the Project area. As further noted, State CEQA Guidelines Section 15331 establishes a categorical exemption for projects that conform to the Secretary of the Interior's Standards.

Response to Comment E-4

The commenter requests that the Redevelopment Agency of the City of Fresno, at its expense, prepare and present to the HPC an annual report that discusses status and implementation of the Mitigation Monitoring and Reporting Program (MMRP) for the Project. The MMRP report appended to this Final SEIR (Appendix A) would be periodically updated and is available upon request at any time by the HPC for inspection and discussion. As shown in the MMRP, it is the City of Fresno and the HPC's responsibility to implement Mitigation Measures CR-1 and CR-2, to ensure that MMRP is current and that mitigation measures are being implemented outlined in the MMRP.



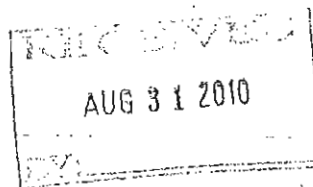
Arnold Schwarzenegger
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Cathleen Cox
Acting Director

August 23, 2010



Mr. David Martin
City of Fresno Redevelopment Agency
2344 Tulare, Suite 200
Fresno, CA 93721

Subject: Fresno Merger No. 2 Redevelopment Plan Amendments Project
SCH#: 2010041058

Dear Mr. David Martin:

The State Clearinghouse submitted the above named Supplemental EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on August 20, 2010, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

F-1

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures

cc: Resources Agency

State Clearinghouse Data Base

SCH# 2010041058
Project Title Fresno Merger No. 2 Redevelopment Plan Amendments Project
Lead Agency Fresno Redevelopment Agency, City of

Type SIR Supplemental EIR
Description The project consists of proposed amendments to two redevelopment plans. The project encompasses separate redevelopment project areas (Constituent Project Areas) described each of which has its own redevelopment plan (Constituent Redevelopment Plans). The two Constituent Project Areas are:
 Southwest Fresno General Neighborhood Renewal Area (GNRA) and Fruit/Church

Lead Agency Contact

Name Mr. David Martin
Agency City of Fresno Redevelopment Agency
Phone (559) 621-7630 **Fax**
email
Address 2344 Tulare, Suite 200
City Fresno **State** CA **Zip** 93721

Project Location

County Fresno
City Fresno
Region
Lat / Long
Cross Streets Numerous
Parcel No. Multiple

Township	Range	Section	Base
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Proximity to:

Highways SR-99, SR-41 & SR-180
Airports Chandler Exec.
Railways BNSF, SPRR
Waterways No
Schools Multiple
Land Use Multiple

Project Issues Agricultural Land; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Septic System; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Wildlife; Growth Inducing; Landuse; Cumulative Effects; Aesthetic/Visual

Reviewing Agencies Resources Agency; Department of Fish and Game, Region 4; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; Caltrans, Division of Aeronautics; California Highway Patrol; Caltrans, District 6; Regional Water Quality Control Bd., Region 5 (Fresno); Native American Heritage Commission; Public Utilities Commission

Date Received 07/07/2010 **Start of Review** 07/07/2010 **End of Review** 08/20/2010

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
e-mail: ds_nahc@pacbell.net



July 21, 2010

Clear
8/20/10
e

RECEIVED

JUL 23 2010

STATE CLEARING HOUSE

Mr. David Martin

REDEVELOPMENT AGENCY OF THE CITY OF FRESNO

2344 Tulare Street, Suite 200
Fresno, CA 93721

Re: SCH#2010041058; CEQA Notice of Completion; draft Supplemental Environmental Impact Report (DSEIR) for the "Fresno Merger No. 2 Redevelopment Plan Amendment Project"; located in the City of Fresno; Fresno County, California.

Dear Mr. Martin:

The Native American Heritage Commission (NAHC) is the state 'trustee agency' pursuant to Public Resources Code §21070 for the protection and preservation of California's Native American Cultural Resources.. (Also see Environmental Protection Information Center v. Johnson (1985) 170 Cal App. 3^d 604). The California Environmental Quality Act (CEQA - CA Public Resources Code §21000-21177, amended in 2009) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the California Code of Regulations §15064.5(b)(c)(f) CEQA guidelines). Section 15382 of the CEQA Guidelines defines a significant impact on the environment as "a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ... objects of historic or aesthetic significance." In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE)', and if so, to mitigate that effect. To adequately assess the project-related impacts on historical resources, the Commission recommends the following.

The Native American Heritage Commission did perform a Sacred Lands File (SLF) search in the NAHC SLF Inventory, established by the Legislature pursuant to Public Resources Code §5097.94(a) and Native American Cultural resources were not identified within the APE identified for the project. Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries once a project is underway. Enclosed are the names of the nearest tribes and interested Native American individuals that the NAHC recommends as 'consulting parties,' for this purpose, that may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We recommend that you contact persons on the attached list of Native American contacts. A Native American Tribe or Tribal Elder may be the only source of information about a cultural resource.. Also, the NAHC recommends that a Native American Monitor or Native American culturally knowledgeable person be employed whenever a professional archaeologist is employed during the 'Initial Study' and in other phases of the environmental planning processes.. Furthermore we suggest that you contact the California Historic Resources Information System (CHRIS) at the Office of Historic Preservation (OHP) Coordinator's office (at (916) 653-7278, for referral to the nearest OHP Information Center of which there are 11.

Consultation with tribes and interested Native American tribes and interested Native American individuals, as consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA (42 U.S.C. 4321-43351) and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 [f] *et seq.*), 36 CFR Part 800.3, the President's Council on Environmental Quality (CEQ; 42 U.S.C. 4371 *et seq.*) and NAGPRA (25 U.S.C. 3001-3013), as appropriate. The 1992 *Secretary of the Interior's Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes.

Lead agencies should consider avoidance, as defined in Section 15370 of the California Environmental Quality Act (CEQA) when significant cultural resources could be affected by a project. Also, Public Resources Code Section 5097.98 and Health & Safety Code Section 7050.5 provide for provisions for accidentally discovered archeological resources during construction and mandate the processes to be followed in the event of an accidental discovery of any human remains in a project location other than a 'dedicated cemetery. Discussion of these should be included in your environmental documents, as appropriate.

The authority for the SLF record search of the NAHC Sacred Lands Inventory, established by the California Legislature, is California Public Resources Code §5097.94(a) and is exempt from the CA Public Records Act (c.f. California Government Code §6254.10). The results of the SLF search are confidential. However, Native Americans on the attached contact list are not prohibited from and may wish to reveal the nature of identified cultural resources/historic properties. Confidentiality of 'historic properties of religious and cultural significance' may also be protected under Section 304 of the NHPA or at the Secretary of the Interior's discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C. 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APE and possibly threatened by proposed project activity.

CEQA Guidelines, Section 15064.5(d) requires the lead agency to work with the Native Americans identified by this Commission if the initial Study identifies the presence or likely presence of Native American human remains within the APE. CEQA Guidelines provide for agreements with Native American, identified by the NAHC, to assure the appropriate and dignified treatment of Native American human remains and any associated grave liens. Although tribal consultation under the California Environmental Quality Act (CEQA; CA Public Resources Code Section 21000 - 21177) is 'advisory' rather than mandated, the NAHC does request 'lead agencies' to work with tribes and interested Native American individuals as 'consulting parties,' on the list provided by the NAHC in order that cultural resources will be protected. However, the 2006 SB 1059 the state enabling legislation to the Federal Energy Policy Act of 2005, does mandate tribal consultation for the 'electric transmission corridors. This is codified in the California Public Resources Code, Chapter 4.3, and §25330 to Division 15, requires consultation with California Native American tribes, and identifies both federally recognized and non-federally recognized on a list maintained by the NAHC

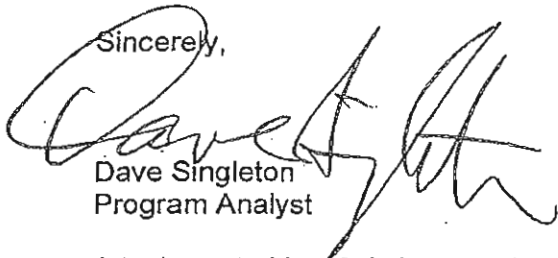
Health and Safety Code §7050.5, Public Resources Code §5097.98 and Sec. §15064.5 (d) of the California Code of Regulations (CEQA Guidelines) mandate procedures to be followed, including that construction or excavation be stopped in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery until the county coroner or

medical examiner can determine whether the remains are those of a Native American. . Note that §7052 of the Health & Safety Code states that disturbance of Native American cemeteries is a felony.

Again, Lead agencies should consider avoidance, as defined in §15370 of the California Code of Regulations (CEQA Guidelines), when significant cultural resources are discovered during the course of project planning and implementation

Please feel free to contact me at (916) 653-6251 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Dave Singleton", written over the typed name and title.

Dave Singleton
Program Analyst

Attachment: List of Native American Contacts

Cc: State Clearinghouse

F. Governor's Office of Planning and Research, Scott Morgan, State Clearinghouse Director (Letter Dated August 23, 2010)

Response to Comment F-1

The commenter is thanked for distributing the Draft SEIR. The State Clearinghouse received one comment letter from the Native American Heritage Commission. A response to this letter can be found above (Comment Letter B).

Appendix A

Mitigation Monitoring and Reporting Program

Mitigation Monitoring and Reporting Program for Fresno Merger No. 2 Redevelopment Plan Amendments Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
3A	Air Quality				
#1 AQ-1	MM AQ-1. Recommended Air Quality Mitigation for Future Development The following general mitigation measures are recommended for all future development within the project area. 1. Comply with all SJVAPCD Construction rules and regulations aimed at curbing fugitive dust and emissions from construction equipment. Construction mitigation measures that could be required of future development within the project area include: a. Structural Demolition i. Water the following areas for the duration of the demolition activities: 1. building exterior surfaces, 2. unpaved surface areas where equipment will operate, 3. razed building materials, and 4. unpaved surface areas within 100 feet of structure during demolition. b. Pre-Activity i. Pre-water the work site and phase work to reduce the amount of disturbed surface area at any one time, and ii. Phase work to reduce the amount of disturbed surface area at any one time. c. Active Operations i. Effectively control fugitive dust emissions from all land clearing, grubbing, scraping, excavation, leveling, grading, cut-and-fill, and demolition activities by applying water or presoaking; ii. Construct and maintain wind barriers, and apply water or dust suppressants to the disturbed surface areas; iii. Apply water or dust suppressants to unpaved haul/access roads and unpaved vehicle/equipment traffic areas; iv. Limit or expeditiously remove the accumulation of mud or dirt from adjacent public roads at least once every 24 hours during all operations. (The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit visible dust. The use of blower devices is also expressly forbidden.); v. Operate construction equipment no longer than 8 cumulative hours per day; and vi. Ensure off-road engines comply with Tier II or above engine standards. d. Inactive Operations, Including After Hours, Weekends, and Holidays i. Effectively stabilize all disturbed areas, including storage piles that are not being actively	Prior to approving future developments' environmental documentation Steps to Compliance: A. City of Fresno Planning & Development Department will incorporate all feasible and applicable recommended air quality mitigation into future developments' environmental documentation. B. Verification of mitigation compliance to be performed through individual future developments' MMRP, and will be monitored by City of Fresno Planning & Development Department.	City of Fresno Planning & Development Department		

Mitigation Monitoring and Reporting Program for Fresno Merger No. 2 Redevelopment Plan Amendments Project				
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date Initials
	used for construction purposes, of dust emissions using water, chemical stabilizer/suppressant, or vegetative ground cover; ii. Apply water or dust suppressants on disturbed surface areas to form a visible crust; iii. Restrict vehicle access to maintain the visible crust; and iv. Shut down equipment when not in use for extended periods of time, and minimize idling time (i.e., 15-minute maximum). e. Temporary Stabilization of Areas that Remain Unused for 7 or More Days i. Restrict vehicular access, and apply and maintain water or dust suppressants at all unvegetated areas; ii. Establish vegetation on all previously disturbed areas; iii. Apply gravel, and maintain at all previously disturbed areas; and iv. Pave previously disturbed areas. f. Unpaved Access and Haul Roads, Traffic, and Equipment Storage Areas i. Effectively stabilize all on-site unpaved roads and off-site unpaved access roads of dust emissions using water or chemical stabilizer/suppressant; ii. Post speed limit signs of not more than 15 miles per hour at each entrance and again every 500 feet; iii. Apply water or dust suppressants to vehicle traffic and equipment storage areas; and iv. Install sandbags or other erosion-control measures to prevent silt runoff to public roadways from sites with a slope greater than 1%. g. Wind Events i. Apply water to control fugitive dust during wind events, unless unsafe to do so; and ii. Cease outdoor construction activities that disturb the soil whenever visible dust emissions cannot be effectively controlled. h. Outdoor Handling of Bulk Materials i. Apply water or dust suppressants when handling bulk materials, and ii. Install and maintain wind barriers with less than 50% porosity, and apply water or dust suppressants. i. Outdoor Storage of Bulk Materials i. Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, effectively stabilize said piles of fugitive dust emissions using a sufficient amount of water or chemical stabilizer/suppressant; ii. Cover storage piles with tarps, plastic, or other suitable material and anchor in such a			

Mitigation Monitoring and Reporting Program for Fresno Merger No. 2 Redevelopment Plan Amendments Project				
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date Initials
	manner that prevents the cover from being removed by wind action; iii. Install and maintain wind barriers with less than 50% porosity around the storage piles, and apply water or dust suppressants; and iv. Use a three-sided structure (< 50% porosity) that is at least as high as the storage piles. j. On-site Transporting of Bulk Materials i. Limit vehicle speed on the work site; ii. Load all haul trucks such that the freeboard is not less than 6 inches when transported across any paved public-access road; iii. Apply a sufficient amount of water to the top of the load to limit visible dust emissions; and iv. Cover haul trucks with a tarp or other suitable cover. k. Off-site Transporting of Bulk Materials i. Clean or cover the interior of emptied truck cargo compartments before leaving the site; ii. Prevent spillage or loss of bulk materials from holes or other openings in the cargo compartment's floor, sides, or tailgate; iii. Cover haul trucks with a tarp or other suitable cover or load them such that the freeboard is not less than 6 inches when transported on any paved public-access road to or from the project site, and apply a sufficient amount of water to the top of the load to limit visible dust; and iv. Install sandbags or other erosion-control measures to prevent silt runoff onto public roadways from sites with a slope greater than 1%. l. Outdoor Transport Using a Chute or Conveyor i. Fully enclose chute or conveyor, ii. Use water spray equipment to sufficiently wet the materials, and iii. Wash or screen transported materials to remove fines (PM10 or smaller). m. Valley Fever Mitigation i. All disturbed areas, including storage piles that are not being actively used for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, or vegetative ground cover; ii. Crews shall be required to use respirators during project clearing, grading, and excavation operations in accordance with California Division of Occupational Safety and Health regulations; iii. Construction roads shall be paved or treated with environmentally safe dust-control agents;			

Mitigation Monitoring and Reporting Program for Fresno Merger No. 2 Redevelopment Plan Amendments Project				
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date Initials
	iv. Where acceptable to the fire department, weed growth shall be controlled by mowing instead of discing, thereby leaving the ground undisturbed and with a mulch covering; v. During rough grading and construction, the access way into the project site from adjoining paved roadways shall be paved or treated with environmentally safe dust-control agents; and vi. Existing residents located near later phases of construction shall be notified prior to soil-disturbing activities and advised regarding reducing their exposure to dust potentially containing valley fever fungus through methods such as limiting outdoor activities, keeping windows closed, or frequently cleaning or replacing air intake filters for air-conditioning systems. 2. Comply with all current review and permitting procedures developed by the SJVAPCD for stationary and area-source emissions, including Rule 9510. Compliance with Rule 9510 shall be demonstrated before issuance of the first grading and/or building permits for a project. 3. Comply with all current and future SJVAPCD rules and regulations, including, Regulation VIII, Rule 2010, Rule 2201, Rule 4002, Rule 4102, Rule 4601, and Rule 4641. 4. Individual projects may exercise the option of entering into a VERA with the SJVAPCD to reduce emissions to less than significant. 5. Design projects in conformity with the RTP and Sustainable Communities Strategy, when adopted and to the extent applicable. 6. Mitigation measures aimed at curbing emissions from long-term operations are measures that would be consistent with land use strategies outlined in the general plan and general plan updates. Such measures would encourage alternative transportation. These measures would reduce automobile usage and emissions during operation of the Project. Proposed policies of the air quality update (City of Fresno 2009) to promote emissions reductions through planning include the following: a. Incorporate multi-use activity centers and high-intensity transportation corridor concepts; b. Implement the City's Urban Growth Management Program; c. Promote infill and appropriately intensified development within the center city and other appropriate locations near transportation routes; d. Implement mixed-use development guidelines to provide more pedestrian-oriented neighborhoods; e. Require subdivisions and other residential development designs that facilitate pedestrian access to bus stops and other transportation routes; f. Maintain and improve transit-related requirements for development, including on-site bus			

Mitigation Monitoring and Reporting Program for Fresno Merger No. 2 Redevelopment Plan Amendments Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	parking; g. Expand programs to reduce VMT, stop-and-go traffic, and congestion through various strategies, such as optimized signal timing, interconnected signals, computer-based controls, and traffic-actuated signals; h. Aid in completing the City's network of alternative bicycle and pedestrian transportation routes; i. Provide for the installation and maintenance of landscaping that promotes good air quality; j. Support employer programs for staggered work hours, telecommuting, and worker incentives (i.e., to use carpools and/or public transit); k. Continue efforts to improve the technical performance, emission levels, and system operations of the Fresno Area Express bus; l. Evaluate and pursue long-range transportation measures such as express bus, light rail, and mass transit corridors; HOV lanes; and City acquisition of land for bus turning and parking; and m. Install bike lanes, paths, and trails.				
#2 AQ-2	MM AQ-2. Recommended Cumulative Air Quality Mitigation for Future Development • Implement MM AQ-1 to the extent applicable. • Conform with the 2007 Ozone Plan, 2007 PM10 Plan, and 2008 PM 2.5 Plan to the extent they are applicable. • Design projects in conformity with the RTP and Sustainable Communities Strategy, when adopted and to the extent they are applicable.	Prior to approving future developments' environmental documentation Steps to Compliance: A. City of Fresno Planning & Development Department will incorporate all feasible and applicable recommended air quality mitigation and ensure conformance with applicable plans, the RTP, and Sustainable Communities Strategy into future developments' environmental documentation. B. Verification of mitigation compliance to be performed through individual future developments' MMRP, and will be monitored by City of Fresno Planning & Development Department.	City of Fresno Planning & Development Department		
3.B #3 CR-1	Cultural Resources MM CR-1. Conduct Historic Building Surveys and Archaeological Surveys of the Project Area <i>The City shall conduct a Historic Building Survey of the Merger II Project Area [1998 EIR MM 3.15-5]. The City shall conduct a historic building survey of all pre-1965 resources</i>	Project Area Survey: Ongoing; projected to be completed by	City of Fresno Planning & Development Department; City of Fresno		

Mitigation Monitoring and Reporting Program for Fresno Merger No. 2 Redevelopment Plan Amendments Project				
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date Initials
	and an archaeological survey of the project area (Project Area Survey). The Project Area Survey shall be conducted in accordance with California OHP standards for intensive-level surveys (see Table 3B-1) and <i>National Register Bulletin 24, Guidelines for Local Surveys: A Basis for Preservation Planning</i>. All related studies will be carried out by or under the direct supervision of individuals who meet the Secretary of the Interior's Professional Qualifications Standards (36 CFR Part 61, Table 2) and will be consistent with City of Fresno, as a certified local government, Planning and Development Department protocols for the relevant field of study in the appropriate discipline (history, archaeology, or architectural history) (see Table 3B-2). Such work shall be coordinated and reviewed by City of Fresno historic preservation staff and the City of Fresno HPC. <u>Survey Criteria</u> The Project Area Survey shall evaluate resources by applying the following national, state, and local criteria: • National Register of Historic Places Criteria for Evaluation (36 CFR Section 60.4); • California Register of Historical Resources Criteria for Evaluation (14 CCR Section 4852.); and • City of Fresno Historic Resources Designation Criteria (FMC 13-406). <u>Research Design</u> Before the first survey is completed, a research design shall be developed by the City and submitted to City historic preservation staff and the HPC for review and comment. According to OHP (Table 3B-1, Item 3), the research design examines current knowledge of a relevant historic context or contexts, defines resource types associated with that context, and establishes expectations regarding survey results (e.g., where resources will be found, how many of each type, etc.). The research design may simply refer to a previously published design if it is applicable and reasonably current. The City shall ensure that HPC's comments are incorporated into the research design and that the relevant historic context(s), resource types, and registration requirements are developed accordingly. <u>Survey Report and HPC Review</u> The City shall consider and implement the recommendations of the survey to the extent feasible [1998 EIR MM 3.15-5]. The City shall provide a draft Project Area Survey report to historic preservation staff and the HPC for review and comment. Comments shall address the adequacy of the survey's results; the eligibility of identified historical resources for federal, state, and local eligibility; and whether adjustments need to be made to the research design. Based on the HPC comments received, the City may revise the survey report accordingly, conduct additional research, or conduct an additional survey. The City	January 2015 Individual Development Projects: Prior to approving Development Projects' environmental documentation	Historic Preservation Commission	
Steps to Compliance: A. City of Fresno Planning & Development Department, in coordination with the City of Fresno Historic Preservation Commission, will conduct the South Van Ness Survey and Fulton Corridor Surveys (collectively, Surveys) in compliance with MM CR-1. The Surveys will be reviewed by the City of Fresno Planning & Development Department and City of Fresno Historic Preservation Commission, and the Surveys will be approved (based on recommendations from the City of Fresno Historic Preservation Commission) by the City of Fresno Planning & Development Department. B. While the Surveys are being completed, City of Fresno Planning & Development Department and City of Fresno Historic Preservation Commission will review, and the City of Fresno Planning & Development Department (based on recommendations from the City of Fresno Historic Preservation Commission) will approve of individual intensive-level historic resources survey reports on a case-by-case basis for Development Projects in accordance with MM CR-2. The City of Fresno Planning & Development Department will ensure that the results of the completed and approved MM CR-1 Surveys, to the extent feasible, are incorporated into each individual intensive-level historic resources survey reports for each Development Project, where applicable. Each Development Projects' environmental document will incorporate appropriate mitigation to protect significant historic resources identified in the individual intensive-level historic resources survey reports, if applicable. Approval of these reports does not mean that the				

Mitigation Monitoring and Reporting Program for Fresno Merger No. 2 Redevelopment Plan Amendments Project				
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date Initials
	shall provide the final survey report to historic preservation staff and the HPC for review and final approval. <u>Timeframe</u> The Project Area Survey shall be completed before January 2015. Table 3B-1. OHP Standards for Intensive-Level Surveys Information about how to conduct and report survey activities can be found in <u>National Register Bulletin 24</u> (National Park Service 1985), the <u>Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation</u> (National Park Service 1983), and <u>California Historic Resources Survey Workbook</u> (Office of Historic Preservation 1986). Appendix 6 [in relevant part below] summarizes the fundamental topics that the Secretary of the Interior recommends covering in reports describing reconnaissance and intensive surveys, while more detailed suggestions are offered in <u>Archaeological Resource Management Reports (ARMR): Recommended Contents and Format</u> (Office of Historic Preservation 1989): "A reconnaissance survey entails a systematic effort to identify and summarize information about historical resources in a given area. Reports documenting reconnaissance surveys should provide thorough documentation of objectives and expectations of the survey, the methods used to discover resources, and the adequacy of such efforts. While reconnaissance surveys may employ widely different strategies, the reports prepared to document them should minimally contain the following kinds of information: 1. A clear statement of the purpose of the survey. 2. A definition of the survey area (with map of areas examined). 3. A research design that examines current knowledge of a relevant historic context or contexts, defines resource types associated with that context, and establishes expectations regarding survey results (e.g., where resources will be found, how many of each type, etc.). The research design may simply refer to a previously published one if it is applicable and reasonably current. 4. A definition of the methods that were used during the survey. If a variety of methods are used, the area covered by each method should be separately depicted on the survey coverage map listed in Item 2 (above). 5. A summary of the results of the survey including a map depicting resource locations, analysis of findings relative to the study's research design, discussion of any limitations of the survey, and individual records for all identified heritage resources." "Intensive surveys go beyond the systematic identification and description of historical	Development Project will be approved by the City Council. C. After all the Surveys are completed, City of Fresno Planning & Development Department and City of Fresno Historic Preservation Commission will continue to review, and the City of Fresno Planning & Development Department (based on recommendations from the City of Fresno Historic Preservation Commission) will continue to approve individual intensive-level historic resources survey reports on a case-by-case basis for Development Projects in accordance with MM CR-2. The City of Fresno Planning & Development Department will ensure that the results of the MM CR-1 Surveys are incorporated into each individual intensive-level historic resources survey reports for each Development Project, where applicable. Each Development Project's environmental document will incorporate appropriate mitigation to protect significant historic resources identified in the individual intensive-level historic resources survey reports, if applicable. Approval of these reports does not mean that the Development Project will be approved by the City Council. D. Verification of mitigation compliance to be performed through individual Development Projects' MMRP, and will be monitored by City of Fresno Planning & Development Department.		

Mitigation Monitoring and Reporting Program for Fresno Merger No. 2 Redevelopment Plan Amendments Project				
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date Initials
	resources to encompass the evaluation of those properties within a historic context. Thus, in addition to the five categories of information needed for a reconnaissance survey, the report documenting an intensive survey should also contain: 6. An evaluation of heritage resources identified during the survey as determined within a historic context using the National Register criteria (or CEQA criteria if appropriate). 7. Evidence that evaluation was conducted and confirmed by an appropriately qualified professional." Source: Office of Historic Preservation 1995.			
	Table 3B-2. Professional Qualifications Standards The following requirements are those used by the National Park Service, and have been previously published in the Code of Federal Regulations, 36 CFR Part 61. The qualifications define minimum education and experience required to perform identification, evaluation, registration, and treatment activities. In some cases, additional areas or levels of expertise may be needed, depending on the complexity of the task and the nature of the historic properties involved. In the following definitions, a year of full-time professional experience need not consist of a continuous year of full-time work but may be made up of discontinuous periods of full-time or part-time work adding up to the equivalent of a year of full-time experience. History The minimum professional qualifications in history are a graduate degree in history or closely related field; or a bachelor's degree in history or closely related field plus one of the following: 1. At least two years of full-time experience in research, writing, teaching, interpretation, or other demonstrable professional activity with an academic institution, historic organization or agency, museum, or other professional institution; or 2. Substantial contribution through research and publication to the body of scholarly knowledge in the field of history. Archaeology (including Historic Archaeology) The minimum professional qualifications in archeology are a graduate degree in archeology, anthropology, or closely related field plus: 1. At least one year of full-time professional experience or equivalent specialized			

Mitigation Monitoring and Reporting Program for Fresno Merger No. 2 Redevelopment Plan Amendments Project				
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	training in archeological research, administration or management; 2. At least four months of supervised field and analytic experience in general North American archeology, and 3. Demonstrated ability to carry research to completion. In addition to these minimum qualifications, a professional in prehistoric archeology shall have at least one year of full-time professional experience at a supervisory level in the study of archeological resources of the prehistoric period. A professional in historic archeology shall have at least one year of full-time professional experience at a supervisory level in the study of archeological resources of the historic period. Architectural History The minimum professional qualifications in architectural history are a graduate degree in architectural history, art history, historic preservation, or closely related field, with coursework in American architectural history, or a bachelor's degree in architectural history, art history, historic preservation or closely related field plus one of the following: 1. At least two years of full-time experience in research, writing, or teaching in American architectural history or restoration architecture with an academic institution, historical organization or agency, museum, or other professional institution; or 2. Substantial contribution through research and publication to the body of scholarly knowledge in the field of American architectural history. Source: Secretary of the Interior's Professional Qualifications Standards (As Amended and Annotated) (36 CFR Part 61)			

Mitigation Monitoring and Reporting Program for Fresno Merger No. 2 Redevelopment Plan Amendments Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
3B	Cultural Resources				
#4	MM CR-2. Survey Protocol for Future Development Projects				
CR-2	For the purposes of this mitigation measure, "development project" means the whole of an action that has the potential to result in either a direct physical change to the environment or a reasonably foreseeable indirect physical change involving improvements proposed to be undertaken by any public agency, private developer, or property owner on a site pursuant to a building permit, site plan application, or other development entitlement or development agreement with the City, Agency, or other public agency. A development project includes clearing or grading of land, improvement of existing structures, construction or remodeling or expansion of buildings, landscaping, construction of parking structures or areas, public improvements, and related improvements that could adversely affect potentially historic resources or cause below-grade ground disturbance. "Development project site" is defined as the footprint of the development project, which includes all grading areas required for the construction of structures, utility improvements, and road improvements necessary for the development project. The "development project study area" is defined using the area of potential effects (APE) standard as defined in 36 CFR Part 800.16(d) of the federal regulations for the protection of historic properties. The definition of APE, according to 36 CFR Part 800, is "the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist. The APE is influenced by the scale and nature of an undertaking and may be different for different kinds of effects caused by the undertaking." The development project study area, or its APE, shall be determined by the qualified consultant (see Table 3B-2) and recommended to the City of Fresno and Redevelopment Agency. The development project study area is defined as the area of direct impact (ADI) for historic archaeology. The ADI is limited to the exact location of the development project site. The ADI will have both a horizontal (surface coverage) and a vertical scope (depth of excavations for grading as well as footings, sub-floors, and utility installations). The following survey protocol shall apply to all development projects defined in this section within the subject area before, during, and after the survey described in MM CR-1 are completed. The following survey protocol shall be implemented for surveyed and unsurveyed areas in the project area during the discretionary approval phase and shall be developed in conformance with California Public Resources Code Sections 5020-5029.5. Associated Phase I historic archaeological surveys shall commence concurrently with the intensive-level historic building surveys for each development project. <u>Historic Buildings Survey Protocol</u>	Prior to approving Development Projects' environmental documentation A. City of Fresno Planning & Development Department will require an intensive-level historic resources survey for each Development Project within the Project Area and in compliance with MM CR-2. B. City of Fresno Planning & Development Department and the City of Fresno Historic Preservation Commission will review, will approve (based on recommendations from the City of Fresno Historic Preservation Commission) of individual intensive-level historic resources survey reports on a case-by-case basis for Development Projects in accordance with MM CR-2. Approval of these reports does not mean that the Development Project will be approved by the City Council. C. City of Fresno Planning & Development Department will ensure each Development Projects' environmental documentation incorporates appropriate mitigation to protect significant historic resources identified in the individual intensive-level historic resources survey reports, if applicable. D. Verification of mitigation compliance to be performed through individual Development Projects' MMRP, and will be monitored by City of Fresno Planning & Development Department.			

Mitigation Monitoring and Reporting Program for Fresno Merger No. 2 Redevelopment Plan Amendments Project				
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date Initials
	Prior to the approval and issuance of development project-related entitlements, the development project applicant shall retain the appropriate preservation consultant to conduct an intensive-level historical resources survey (see Table 3B-1) assessment. This consultant must meet the Secretary of Interior's professional qualifications for history or architectural history (see Table 3B-2) and be approved by the City's Historic Preservation Office prior to initiation of the following tasks. The six tasks required for an intensive-level survey and CEQA analysis are as follows: 1. <i>Each structure on a proposed development site shall be evaluated to determine if it is 45 years or more in age [1998 EIR MM 3.15-4]. The 45-year age criterion in this Draft SEIR is more stringent and is an augmentation to the original mitigation measure, which had a 50 year age criterion. Survey work shall be conducted per the OHP, which recommends a 45-year age criterion for surveying properties for historical significance (Office of Historic Preservation 1995). This allows 5 years for a development project to obtain all necessary approvals and entitlements while ensuring that all 50 year-old structures within a development project study area have been surveyed to OHP standards when all final approvals and entitlements have been granted, even if their obtainment takes up to 5 years. Record all resources located within a proposed development project study area, including buildings constructed prior to 1968, appropriate infrastructure, landscapes and street furniture, on State of California DPR Primary and Building, Structure, and Object forms (DPR 523A and B) and/or Primary and District Record forms (DPR 523A and D), following guidelines published in the California Office of Historic Preservation's handbook, <i>Instructions for Recording Historical Resources</i> (1995). If the Project Area Survey or other surveys have commenced at the time of the discretionary approval, the latest survey criteria, research design, HPC comments, and results developed at that time shall be incorporated into the documentation.</i> 2. <i>Should a structure meet the age criteria, it shall be evaluated to determine its eligibility for listing on the National Register, California Register, and the City's Official Local List of Historic Places [1998 EIR MM 3.15-4]. The consultant shall evaluate the significance and integrity of all resources of the development project study area for eligibility for listing in the National Register, the California Register, and the City's Local Register. If the Project Area Survey or other surveys have commenced at the time of the discretionary approval, the latest survey criteria, research design, HPC comments, and results developed at that time shall be incorporated into the evaluation.</i> 3. Submit a draft copy of the intensive-level historic resources survey for each development project to City historic preservation staff for review and comment. Upon receipt, comments shall be incorporated into the survey documentation accordingly, and the assessment shall be finalized. The requirements for submitting an intensive-level survey to OHP standards are found in Table 3B-1.			

Mitigation Monitoring and Reporting Program for Fresno Merger No. 2 Redevelopment Plan Amendments Project				
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date Initials
	4. <i>Should a property be determined eligible for listing on the City's official list, the procedures under this mitigation measure ... shall apply as follows: Should a development project have the potential to cause the demolition of a listed historic structure or adversely affect the criteria under which the structure was eligible for listing, prior to development project approval the City and/or the Agency shall demonstrate that it has reasonably explored and considered alternatives to the development project including the rehabilitation and adaptive reuse of the affected structure, or relocation of the structure</i> [1998 EIR MM 3.15-4]. The term "listed historic structure" is hereby defined to also include historical resources identified as significant in a case-by-case survey. Section 15064.5(a)(2) of the State CEQA Guidelines states that "historical resources identified as significant in a historical resource survey meeting the requirements of Section 5024.1(g) of the Public Resources Code shall be presumed to be historically or culturally significant." 5. Propose feasible mitigation measures and recommend conditions of approval (if a local government action) to lessen and/or avoid significant development project effects on designated historical resources and those resources determined eligible for local, state, or federal level designation, following Section 15064.5 of the State CEQA Guidelines. Development of appropriate mitigation measures and conditions of approval shall be conducted in concert with the City's historic preservation staff. 6. Prepare a technical resources report documenting the inventory process, identification of resources, evaluation of development project impacts, and proposed mitigation of potential impacts on resources within the development project site. Submit a final hard copy and a CD with an electronic file in PDF format of the report to the City's Planning and Development Department for review and approval. Upon completion of an intensive-level historic resources survey for a development project, Lead Agency staff or City historic preservation staff shall refer to the HPC for its review and recommendations regarding any property found (as defined by Fresno Municipal Code Section 12-1604(b)) to be a potential candidate for listing on the City's Local Register or a potential historic resource within the meaning of PRC Section 21084.1 and State CEQA Guidelines Section 15064.5. <i>Notices and orders issued for violations of the housing code, dangerous building ordinance, and exterior building maintenance ordinance, as related to properties 45 years of age and older, shall be made available to the City's historic preservation staff and the HPC for their recommendations on surveying, assessing, and preserving potential historic resources under these circumstances</i> [1998 EIR MM 3.15-4]. The 45-year age criterion is an augmentation to the original mitigation measure, which had a 50-year age criterion. Historic Archaeological Site Evaluation Protocol <i>Should buried archaeological resources be discovered during the course of construction,</i>			

Mitigation Monitoring and Reporting Program for Fresno Merger No. 2 Redevelopment Plan Amendments Project				
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date Initials
	<i>those activities that would adversely affect the resource shall cease and the City of Fresno Planning and Development Department shall be notified. The developer shall consult a qualified archeologist and the archaeological inventory to determine the significance of the find and feasible mitigation measures. The Fresno County Coroner shall be contacted. The Native American Heritage Commission shall be immediately contacted if the remains are suspected to be Native American in origin [1998 EIR MM 3.15-1].</i> Prior to the approval and issuance of development project-related entitlement, the development project applicant shall retain the appropriate preservation consultant to conduct a historic archaeological Phase I assessment. This consultant must meet the Secretary of Interior's professional qualifications for archaeology (historic) and be approved by the City's historic preservation staff prior to initiation of the following tasks. The archaeological consultant shall initiate an archeological investigation to determine whether there are sub-surface historic archaeological deposits that pre-date the buildings within the development project site or if there is the potential to yield sub-surface historic archaeological deposits in the development project study area. This work will entail the following tasks: - Conduct additional archival work specific to the history of the various parcels as necessary to determine the potential for the presence and location of subsurface deposits and/or features of historic archaeological significance. Resource materials will include Sanborn fire insurance maps, city directories, historic photographs, church records, previous surveys, and City building permits; - To effectively focus and maximize the efforts to identify buried archeological deposits, the archaeologist on behalf of the applicant will determine an ADI; - Should archival research indicate a high potential for sub-surface deposits within the ADI, the archaeologist will conduct on-site archaeological testing consisting of ground penetrating radar (GPR) and/or backhoe or other mechanical trenching. Limited hand excavations will be employed to investigate the potential for buried historic deposits/features in the area identified as the ADI; - The City, based on the results and evaluation of the subsurface investigation and archaeologist's professional judgment, in consultation with the City's historic preservation staff, will determine if there are any buried historic archeological deposits that meet the criteria for historical significance as defined in the State CEQA Guidelines. If there are, the City will continue consultation to determine whether further investigative measures (i.e., data recovery, mitigation measures, curation, etc.) are warranted; and - A technical resources report documenting the inventory process, identification of resources, evaluation of development project impacts, and proposed mitigation of resources within the development project site shall be prepared by the archaeologist. A final hard			

Mitigation Monitoring and Reporting Program for Fresno Merger No. 2 Redevelopment Plan Amendments Project				
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date Initials
	copy and a CD with an electronic file in PDF format of the report shall be submitted to the City's Planning and Development Department for review and approval.			
3C	Greenhouse Gas Emissions			
#5 GHG-1	MM CC-1. Incorporate GHG Reduction Measures Identified in Planning Documents Adopted by Fresno County and the SJVAPCD. The Agency will impose a combination of the following measures to reduce GHG emissions from any individual project or development entitlement that it approves by 29% from BAU. The measures shall be imposed as part of a development agreement or other binding and enforceable requirement upon developers or other development entities. The Agency will also abide by this measure for development projects that are its own projects. <u>City of Fresno General Plan</u> The following measures as listed in the air quality update to the general plan (City of Fresno 2009), shall be pursued, where feasible: • Encourage development proponents to offset or mitigate emissions by removing older, less-efficient and higher emitting vehicles from service; • Develop a policy for emission credits generated through City facilities, programs, and policies; • Increase efforts to incorporate GHG emission reductions into land use decisions, facility design, and operational measures subject to Agency jurisdiction; • Consider strengthening Agency standards for purchasing low-polluting and climate friendly goods and services; • Prioritize energy and water conservation through various measures; • Maintain current levels of achievement for recycling and reuse; • Make transportation services more efficient; and • Continue to enhance landscaping consistent with energy and water conservation principles. Additionally, many of the measures and policies set forth in the City General Plan that aim to reduce criteria pollutant emissions (listed in MM AQ-1) will also reduce GHGs. Implementation of these measures shall be pursued to the greatest extent feasible. <u>SJVAPCD GHG Guidance</u> Appendix J of the Final SJVAPCD GHG Guidance (2009) identifies several GHG emissions reduction measures. Each of these strategies has been assigned a land use type for which a reduction point value can be claimed. Point values are used to approximate the emission reduction factor associated with particulate control measures.	Prior to approving future developments' environmental documentation Steps to Compliance: A. City of Fresno Planning & Development Department will incorporate all feasible and applicable recommended GHG emissions reduction mitigation into future development's environmental documentation. B. Verification of mitigation compliance to be performed through individual future developments' MMRPs, and will be monitored by City of Fresno Planning & Development Department.		

Mitigation Monitoring and Reporting Program for Fresno Merger No. 2 Redevelopment Plan Amendments Project				
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date
	The following BPS have been selected from Appendix J because they are the most applicable to projects that may be developed in the plan area. Reduction potentials, as well as land use types, are also provided. Please refer to Appendix J of the Final SJVAPCD GHG Guidance (2009) for the stipulations and requirements of each measure.			
	GHG Reduction Measure^a	Applicable Land Use	CO₂e Point Reduction	
	Bike Parking	C, M	0.625	
	End-of-Trip Facilities	C, M	0.625	
	Bike Parking at Multi-Unit Residential	R	0.625	
	Pedestrian Network	C, M, R	0.5-1	
	Pedestrian Barriers Minimized	C, M, R	1	
	Bus Shelter for Existing or Planned Transit Service	C, M, R	0.25-0.5	
	Traffic Calming	C, M, R	0.25-1	
	Paid Parking	C, M, R	0.6-5	
	Minimum Parking	C, M, R	3	
	Pedestrian Pathway through Parking	C, M, R	0.5	
	Office/Mixed Use Proximate to Transit	C, M	0.2-1.5	
	Orientation toward Existing of Planned Transit, Bikeway, or Pedestrian Corridor	C, M, R	0.25-0.5	
	Residential Density ^b	R	0-6	
	Neighborhood Electric Vehicle Access	C, M, R	0.5-1.5	
	Urban Mixed Use ^c	M	1-9	
	Suburban Mixed Use	C, M, R	3	
	Other Mixed Use	M, R	1	
	Energy Star Roof	C, M, R	0.5	
	On-site Renewable Energy System	C, M, R	1	
	Exceed Title 24	C, M, R	1	

Mitigation Monitoring and Reporting Program for Fresno Merger No. 2 Redevelopment Plan Amendments Project					
Impact	Mitigation Measure	Time Frame for Implementation	Responsible Monitoring Agency	Date	Initials
	Solar Orientation Non-Roof Surfaces Green Roof (C) Commercial, (M) Mixed Use, (R) Residential ^a The SJVAPCD stresses that the BPS outlined above are still undergoing development through a public review and input process. ^b Reduction potential dependent on the presence of existing or planned transit. ^c Reduction potential dependent on the jobs-to-housing ratio.	R 0.5 C, M, R 1 C, M, R 0.5			
	To reduce project-level GHG emissions, specific developments shall implement any combination of the measures outlined above to the extent practicable and feasible.				
#6 GHG-2	Mitigation Measure MM CC-2, Implement GHG Reduction Measures to Achieve at Least a 29% Reduction in GHG Emissions Relative to BAU. The Agency will require project applicants to implement any combination of GHG reduction measures necessary to achieve a combined 29% reduction in emissions relative to BAU, consistent with the SJVAPCD guidelines. This requirement will likewise apply to the Agency for those projects that it will undertake directly. Available BPS and their reduction potentials have been proposed by the SJVAPCD and are summarized in MM CC-1. The developer, whether the Agency or another entity, may use other reduction measures and is not limited to those identified by the SJVAPCD. The Bay Area Air Quality Management District (BAAQMD) has also identified several feasible mitigation measures as well as estimated their reduction potentials. The table below identifies available measures in addition to those presented by the SJVAPCD. Note that the reduction potentials are still being reviewed by the BAAQMD and may change with improved guidance on quantifying mitigation. The reduction potentials are therefore provided as an estimate of what may be achieved through implementation of the measure.				
	GHG Reduction Measure^a	Sector	CO₂e Point Reduction		
	Free Transit Passes to Employees and Residents	Resident/Employee	25% transit		
	Employee Telecommuting	Mobile-Source Worker	1%-100%		
	Compressed Work Schedule	Mobile-Source	1%-40%		
	Steps to Compliance: A. City of Fresno Planning & Development Department will incorporate all feasible and applicable recommended GHG emissions reduction mitigation into future development's environmental documentation. B. Verification of mitigation compliance to be performed through individual future developments' MMRPs, and will be monitored by City of Fresno Planning & Development Department.				

Mitigation Monitoring and Reporting Program for Fresno Merger No. 2 Redevelopment Plan Amendments Project					
Impact	Mitigation Measure		Time Frame for Implementation	Responsible Monitoring Agency	Date
		Worker			Initials
	Electrically Powered Landscape Equipment and Outdoor Electrical Outlets	Residential Landscape Emissions	Same % as land equipment emissions		
	Low-VOC Architectural Coatings	Building Operations	Same % as ROG emissions		
	Plant Shade Trees within 40 feet of the South Side or within 60 feet of the West Side of Properties	R/C Air-Conditioning Electricity	30%		
	Require Smart Meters or Programmable Thermostats	R/C Electricity or Natural Gas	10%		
	Meet Green Building Standards in All New Construction	R/C Electricity or Natural Gas	3%-17%		
	Install Solar Water Heaters	R/C Natural Gas Water Heating	70%		
	Install Tankless Water Heaters	R/C Natural Gas Water Heating	35%		
	HVAC Duct Sealing	R/C Air-Conditioning Electricity	30%		
	Provide Necessary Infrastructure and Treatment to Allow Use of 50% Greywater/ Recycled Water in Residential and Commercial Uses for Outdoor Irrigation	R/C Electricity (water consumption)	SFR: 37.5%, MFR: 29%, C: 6%		
	(C) Commercial, (R) Residential, (SFR) Single-Family Residential, (MFR) Multifamily Residential ^a Reduction potentials have not been scaled to project-specific emissions or resource sectors (e.g., natural gas, electricity). ^a Reduction potentials should be scaled proportionally to their sector of project-generated emissions. For example, if a measure would result in a 50% reduction in residential natural gas consumption but only 20% of a project's emissions are associated with natural gas consumption and only 10% of a				

Mitigation Monitoring and Reporting Program for Fresno Merger No. 2 Redevelopment Plan Amendments Project					
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	project's emissions are from residential land uses, then the scaled reduction would equal 1% ($50\% * 20\% * 10\% = 1\%$)" (BAAQMD 2010).				

Mitigation Monitoring and Reporting Program for Fresno Merger No. 2 Redevelopment Plan Amendments Project					
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3D- #7 NOI-1, NOI-2, and NOI-3	Noise MM-NOI-1. Adhere to Noise Element Mitigation Requirements. In accordance with the Noise Element, all future development that included stationary noise sources would be required to conduct an acoustical study, and to install noise controls so exterior and interior noise levels at nearby noise-sensitive property to achieve the allowable noise limits listed in Table 3D-3. A wide range of noise control measures for stationary equipment is available: • purchase of low-noise equipment, • installation of noise silencers on mechanical equipment, • use of site structures to provide natural shielding, and • installation of noise barriers. In accordance with the Noise Element, all future development in the Project Area where the forecast future exterior noise levels exceed 60 dBA CNEL (as defined by Figure 3D-1) must conduct an acoustical study, and provide noise control measures to reduce indoor and outdoor noise levels to the appropriate allowable limits specified in Table 3D-2 and Table 3D-3. At a minimum, structures must be designed to California Title 24 acoustical insulation requirements. The Noise Element describes a wide range of additional noise abatement measures that can be considered: • Site planning, to maximize the distance between sensitive receptors and local noise sources. • Placing non-sensitive land uses (e.g., parking lots) to provide a buffer zone. • Orienting outdoor use areas (e.g., balconies) on the sides of buildings away from noise sources. • Arranging site buildings to shield noise sensitive areas within the facility. • Constructing sound barrier walls along freeways and heavily traveled arterials, if feasible based on local site conditions. • Installing additional indoor noise insulation, beyond the minimum requirements specified by the building codes.	Prior to approving future developments' environmental documentation Steps to Compliance: A. City of Fresno Planning & Development Department will require future development to submit a noise study that includes noise control measures and noise abatement measures, if applicable. B. Verification of noise control and abatement measures compliance to be performed through individual future developments' MMRP, and will be monitored by City of Fresno Planning & Development Department.	City of Fresno Planning & Development Department		

Appendix 13: Correspondence with Taxing Entities

Redevelopment Agency

of the City of Fresno



2344 Tulare Street, Suite 200 • Fresno, California 93721 • (559) 621-7600 • (559) 498-1870 (Fax)

July 2, 2010

Jaime Holt, Chair
Members of the Planning Commission
City of Fresno
2600 Fresno Street
Fresno, CA 93721

Re. Advance Information Regarding Fresno Merger No 2 Redevelopment Plan Amendments Project:
1) Proposed Amendments to Redevelopment Plans in Merger No 2,
2) Preliminary Report on the Proposed Amendments,
3) Notice of Availability and Draft Subsequent Environmental Impact Report Prepared for the Proposed Amendments

The Redevelopment Agency of the City of Fresno is in the process of updating the two Redevelopment Plans for Merger No. 2, which is comprised of the Fruit/Church and Southwest Fresno Redevelopment Project Areas (the "Constituent Plans"). The proposed plan amendments provide for the updating of the plan duration, debt incurrence, debt repayment, tax increment limit, and eminent domain time limit for the two Constituent Plans (the "Proposed Amendments"). Extensions to the plan time and financial limits for the Constituent Plans need to be undertaken in order to continue to carry out the revitalization efforts in Southwest Fresno and Fruit/Church (including but not limited to Edison Plaza Mixed Use Phase II, California Avenue Revitalization, California Triangle Housing, Hope VI Infill, Sequoia Village/EAH Housing, etc.).

Enclosed are copies of the proposed Plan Amendments, and a CD containing PDF copies of the Preliminary Report for the Proposed Plan Amendments (which contains the blight report, finance projections, etc.) prepared and transmitted to you pursuant to Section 33333.11 of the Community Redevelopment Law ("CRL"). Also enclosed are a copy of the Notice of Availability and the Draft Subsequent Environmental Impact Report prepared for the Proposed Amendments. This information is also available on the Redevelopment Agency's website www.fresnorda.com.

Hard copies of the Preliminary Report will be provided to the Planning Commission under separate cover at the July 21, 2010 Planning Commission Meeting.

No action by the Planning Commission is required or requested on these documents at this time. They are being provided as advance information for the Planning Commission. At this time we expect to be scheduling a noticed Planning Commission public hearing in September, 2010, for consideration of the proposed Redevelopment Plan Amendments and related DSEIR

Should you have questions, please call Mr David Martin, Project Manager at (559) 621-7600

Sincerely,

Marlene Murphey
Executive Director

c: Keith Bergthold, Secretary to the Planning Commission
Enclosures

Redevelopment Agency

of the City of Fresno



2344 Tulare Street, Suite 200 • Fresno, California 93721 • (559) 621 7600 • (559) 498-1870 (Fax)

July 2, 2010

Lynn Jacobs, Director
California Department of Housing
and Community Development
1800 Third Street
Sacramento, CA 95811-6942

Re: Transmittal of Information Regarding Fresno Merger No. 2 Redevelopment Plan Amendments Project:

- 1) Proposed Amendments to Redevelopment Plans in Merger No. 2;
- 2) Preliminary Report on the Proposed Amendments,
- 3) Notice of Availability and Draft Subsequent Environmental Impact Report Prepared for the Proposed Amendments

Dear Mr. Jacobs:

The Redevelopment Agency of the City of Fresno is in the process of updating the two Redevelopment Plans for Merger No. 2, which is comprised of the Fruit/Church and Southwest Fresno Redevelopment Project Areas (the "Constituent Plans"). The proposed plan amendments provide for the updating of the plan duration, debt incurrence, debt repayment, tax increment limit, and eminent domain time limit for the two Constituent Plans (the "Proposed Amendments"). Extensions to the plan time and financial limits for the Constituent Plans need to be undertaken in order to continue to carry out the revitalization efforts in Southwest Fresno and Fruit/Church (including but not limited to Edison Plaza Mixed Use Phase II, California Avenue Revitalization, California Triangle Housing, Hope VI Infill, Sequoia Village/EAH Housing, etc.).

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Should you have questions, please call Mr. David Martin, Project Manager at (559) 621-7600

Sincerely,

Marlene Murphey
Executive Director

Enclosures

Redevelopment Agency

of the City of Fresno



2344 Tulare Street, Suite 200 • Fresno, California 93721 • (559) 621-7600 • (559) 498-1870 (Fax)

July 2, 2010

Ana J. Matosantos, Director
California Department of Finance
915 L Street
Sacramento, CA 95814

Re. Transmittal of Information Regarding Fresno Merger No. 2 Redevelopment Plan Amendments Project:

- 1) Proposed Amendments to Redevelopment Plans in Merger No. 2;
- 2) Preliminary Report on the Proposed Amendments;
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Dear Ms. Matosantos.

The Redevelopment Agency of the City of Fresno is in the process of updating the two Redevelopment Plans for Merger No. 2, which is comprised of the Fruit/Church and Southwest Fresno Redevelopment Project Areas (the "Constituent Plans"). The proposed plan amendments provide for the updating of the plan duration, debt incurrence, debt repayment, tax increment limit, and eminent domain time limit for the two Constituent Plans (the "Proposed Amendments"). Extensions to the plan time and financial limits for the Constituent Plans need to be undertaken in order to continue to carry out the revitalization efforts in Southwest Fresno and Fruit/Church (including but not limited to Edison Plaza Mixed Use Phase II, California Avenue Revitalization, California Triangle Housing, Hope VI Infill, Sequoia Village/EAH Housing, etc.).

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Should you have questions, please call Mr. David Martin, Project Manager at (559) 621-7600.

Sincerely,

Marlene Murphey
Executive Director

Enclosures

Redevelopment Agency

of the City of Fresno



2344 Tulare Street, Suite 200 • Fresno, California 93721 • (559) 621-7600 • (559) 498-1870 (Fax)

July 2, 2010

Mark Scott, City Manager
City of Fresno
Attn. Bruce Rudd
2600 Fresno Street, Room 2064
Fresno, CA 93721

Re Transmittal of Information Regarding Fresno Merger No. 2 Redevelopment Plan Amendments Project:

- 1) Proposed Amendments to Redevelopment Plans in Merger No. 2,
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Should you have questions, please call Mr. David Martin, Project Manager at (559) 621-7600

Sincerely,

Marlene Murphey
Executive Director

Enclosures

Redevelopment Agency

of the City of Fresno



2344 Tulare Street, Suite 200 • Fresno, California 93721 • (559) 621 7600 • (559) 498-1870 (Fax)

July 2, 2010

Robert C. Werner
Fresno County Assessor
County of Fresno, Hall of Records
2281 Tulare Street, Room 201
Fresno, CA 93721

Re: Transmittal of Information Regarding Fresno Merger No. 2 Redevelopment Plan Amendments Project:
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Should you have questions, please call Mr. David Martin, Project Manager at (559) 621-7600

Sincerely,

Marlene Murphey
Executive Director

Enclosures

Redevelopment Agency

of the City of Fresno



2344 Tulare Street, Suite 200 • Fresno, California 93721 • (559) 621 7600 • (559) 498-1870 (Fax)

July 2, 2010

Auditor-Controller / Treasurer Tax Collector
County Hall of Records
2281 Tulare Street, Room 105
Fresno, CA 93721

Re. Transmittal of Information Regarding Fresno Merger No. 2 Redevelopment Plan Amendments Project:
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Should you have questions, please call Mr. David Martin, Project Manager at (559) 621-7600

Sincerely,

Marlene Murphey
Executive Director

Enclosures

Redevelopment Agency

of the City of Fresno



2344 Tulare Street, Suite 200 • Fresno, California 93721 • (559) 621 7600 • (559) 498-1870 (Fax)

July 2, 2010

John Navarrette
County Administrative Officer
County of Fresno
Hall of Records
2281 Tulare Street, Room 304
Fresno, CA 93721

Re Transmittal of Information Regarding Fresno Merger No. 2 Redevelopment Plan Amendments Project

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- 2) Preliminary Report on the Proposed Amendments;
- 3) Notice of Availability and Draft Subsequent Environmental Impact Report Prepared for the Proposed Amendments

The Redevelopment Agency of the City of Fresno is in the process of updating the two Redevelopment Plans for Merger No. 2, which is comprised of the Fruit/Church and Southwest Fresno Redevelopment Project Areas (the "Constituent Plans"). The proposed plan amendments provide for the updating of the plan duration, debt incurrence, debt repayment, tax increment limit, and eminent domain time limit for the two Constituent Plans (the "Proposed Amendments"). Extensions to the plan time and financial limits for the Constituent Plans need to be undertaken in order to continue to carry out the revitalization efforts in Southwest Fresno and Fruit/Church (including but not limited to Edison Plaza Mixed Use Phase II, California Avenue Revitalization, California Triangle Housing, Hope VI Infill, Sequoia Village/EAH Housing, etc.).

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Should you have questions, please call Mr. David Martin, Project Manager at (559) 621-7600

Sincerely,

Marlene Murphey
Executive Director

Enclosures

Redevelopment Agency

of the City of Fresno



2344 Tulare Street, Suite 200 • Fresno, California 93721 • (559) 621 7600 • (559) 498-1870 (Fax)

July 2, 2010

Keith Larkin, Fire Chief
Fresno County Fire
210 S Academy Avenue
Sanger, CA 93657

Re. Transmittal of Information Regarding Fresno Merger No 2 Redevelopment Plan Amendments Project:

- 1) Proposed Amendments to Redevelopment Plans in Merger No. 2;
- 2) Preliminary Report on the Proposed Amendments;
- 3) Notice of Availability and Draft Subsequent Environmental Impact Report Prepared for the Proposed Amendments

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Marlene Murphey
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2344 Tulare Street, Suite 200 • Fresno, California 93721 • (559) 621 7600 • (559) 498-1870 (Fax)

July 2, 2010

Laurel Pryszczycki, Head Librarian
Fresno County Library
2420 Mariposa Street
Fresno, CA 93721

Re: Transmittal of Information Regarding Fresno Merger No. 2 Redevelopment Plan Amendments Project:
1) Proposed Amendments to Redevelopment Plans in Merger No. 2;
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Sincerely,

Marlene Murphey
Executive Director

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Redevelopment Agency

of the City of Fresno



2344 Tulare Street, Suite 200 • Fresno, California 93721 • (559) 621 7600 • (559) 498-1870 (Fax)

July 2, 2010

Larry L. Powell, Superintendent
Fresno County Schools
1111 Van Ness Boulevard
Fresno, CA 93721

Re: Transmittal of Information Regarding Fresno Merger No. 2 Redevelopment Plan Amendments Project:
1) Proposed Amendments to Redevelopment Plans in Merger No. 2;
2) Preliminary Report on the Proposed Amendments;
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Sincerely,

Marlene Murphey
Executive Director

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2344 Tulare Street, Suite 200 • Fresno, California 93721 • (559) 621-7600 • (559) 498-1870 (Fax)

July 2, 2010

Jeff Boswell
Fresno Irrigation District
2907 S. Maple
Fresno, CA 93725

Re. Transmittal of Information Regarding Fresno Merger No. 2 Redevelopment Plan Amendments Project:

- 1) Proposed Amendments to Redevelopment Plans in Merger No. 2,
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Should you have questions, please call Mr. David Martin, Project Manager at (559) 621-7600.

Sincerely,

Marlene Murphey
Executive Director

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Redevelopment Agency

of the City of Fresno



2344 Tulare Street, Suite 200 • Fresno, California 93721 • (559) 621 7600 • (559) 498-1870 (Fax)

July 2, 2010

Michael E. Hanson
Fresno Unified School District
2309 Tulare Street
Fresno, CA 93721

Re Transmittal of Information Regarding Fresno Merger No. 2 Redevelopment Plan Amendments Project:
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Sincerely,

Marlene Murphey
Executive Director

Enclosures

Redevelopment Agency

of the City of Fresno



2344 Tulare Street, Suite 200 • Fresno, California 93721 • (559) 621 7600 • (559) 498-1870 (Fax)

July 2, 2010

David L. Orth
Kings River Conservation District
4886 E. Jensen Avenue
Fresno, CA 93725

Re: Transmittal of Information Regarding Fresno Merger No. 2 Redevelopment Plan Amendments Project:
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Sincerely,

Marlene Murphey
Executive Director

Enclosures

Redevelopment Agency

of the City of Fresno



2344 Tulare Street, Suite 200 • Fresno, California 93721 • (559) 621 7600 • (559) 498-1870 (Fax)

July 2, 2010

Bob Van Wyk
Fresno Metropolitan Flood Control District
5469 E Olive Avenue
Fresno, CA 93727

Re: Transmittal of Information Regarding Fresno Merger No 2 Redevelopment Plan Amendments Project:
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Marlene Murphey
Executive Director

Enclosures

Redevelopment Agency

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2344 Tulare Street, Suite 200 • Fresno, California 93721 • (559) 621 7600 • (559) 498-1870 (Fax)

July 2, 2010

David Farley
Fresno Mosquito and Vector Control Dist
2338 E. McKinley Avenue
Fresno, CA 93703

Re: Transmittal of Information Regarding Fresno Merger No. 2 Redevelopment Plan Amendments Project:
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Marlene Murphey
Executive Director

Enclosures

Redevelopment Agency

of the City of Fresno



2344 Tulare Street, Suite 200 • Fresno, California 93721 • (559) 621 7600 • (559) 498-1870 (Fax)

July 2, 2010

Randy R. Bruegman
North Central Fire Protection District
15850 W Kearney Boulevard
Kerman, CA 93630

Re. Transmittal of Information Regarding Fresno Merger No. 2 Redevelopment Plan Amendments Project:
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Sincerely,

Marlene Murphey
Executive Director

Enclosures

Redevelopment Agency

of the City of Fresno



2344 Tulare Street, Suite 200 • Fresno, California 93721 • (559) 621-7600 • (559) 498-1870 (Fax)

July 2, 2010

John Stall, Superintendent
Orange Center Elementary School District
3530 S Cherry Avenue
Fresno, Ca 93706

Re: Transmittal of Information Regarding Fresno Merger No. 2 Redevelopment Plan Amendments Project:
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2344 Tulare Street, Suite 200 • Fresno, California 93721 • (559) 621 7600 • (559) 498-1870 (Fax)

July 2, 2010

Dr. Deborah G. Blue, Chancellor
State Center Community College District
1525 E. Weldon Avenue
Fresno, CA 93704

Re: Transmittal of Information Regarding Fresno Merger No. 2 Redevelopment Plan Amendments Project:

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2344 Tulare Street, Suite 200 • Fresno, California 93721 • (559) 621 7600 • (559) 498-1870 (Fax)

July 2, 2010

John Pectorich, Superintendent
Washington Union High School District
6041 S Elm Avenue
Fresno, CA 93706

Re: Transmittal of Information Regarding Fresno Merger No. 2 Redevelopment Plan Amendments Project.

- 1) Proposed Amendments to Redevelopment Plans in Merger No. 2,
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Marlene Murphey
Executive Director

Enclosures

Redevelopment Agency

of the City of Fresno



2344 Tulare Street, Suite 200 • Fresno, California 93721 • (559) 621 7600 • (559) 498-1870 (Fax)

July 2, 2010

Superintendent
West Fresno School District
2888 South Ivy Avenue
Fresno, CA 93706

Re: Transmittal of Information Regarding Fresno Merger No. 2 Redevelopment Plan Amendments Project:
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2344 Tulare Street, Suite 200 • Fresno, California 93721 • (559) 621 7600 • (559) 498-1870 (Fax)

DATE July 8, 2010

TO BECKY KLISCH, City Clerk

FROM DAVID MARTIN, Project Manager

RE Reference Desk Copies of Notice Of Availability of Public Documents Regarding Proposed Amendments to Two Redevelopment Plans for the Fresno Merger No. 2 Project:

- 1) Preliminary Report
- 2) Draft Subsequent Environmental Impact Report

Please place the attached copy of the Notice of Availability of Public Documents regarding Proposed Amendments to Two Redevelopment Plans for the Fresno Merger No. 2 and related documents regarding the Proposed Plan Amendments and the Draft Subsequent Environmental Impact Report, on your reference desk for publicly noticed documents. As stated in the Public Notice, copies of the subject materials are also available for review at the Fresno County Library Main Branch Reference Desk at 2420 Mariposa Street in downtown Fresno, or the Redevelopment Agency's website www.fresnorda.com.

The Redevelopment Agency of the City of Fresno is in the process of updating the two existing Redevelopment Plans for Merger No. 2, which is comprised of the Southwest Fresno GNRA and Fruit/Church Redevelopment Project Areas. The proposed plan amendments provide for the updating of the plan duration, debt repayment, tax increment limit, and eminent domain limit. Extensions to the plan time and financial limits for the constituent plans needs to be undertaken in order to carry-out the revitalization efforts in Southwest Fresno and Fruit/Church (Edison Plaza Mixed Use Phase II, California Avenue Revitalization, California Triangle Housing, Hope VI infill, Sequoia Village/EAH Housing, etc.). Further information about the proposed Plan Amendments are contained in the attached Preliminary Report and Draft SEIR.

After October 31, 2010, the copies may be removed from your reference desk.

Thank you for your assistance in this matter. Should you have questions, please call me at 621 7600

Enclosures

Notice of Availability of Public Documents Regarding Proposed Merger 2 Plan Amendments

Preliminary Report for Merger 2 Plan Amendments

Draft Subsequent Environmental Impact Report for Merger 2 Plan Amendments

Appendix 14: Community Consultation Documents

NOTICE OF PUBLIC MEETINGS AND HEARINGS REGARDING:

THE PROPOSED 2010 AMENDMENTS TO THE REDEVELOPMENT PLANS FOR FRESNO MERGER NO.2 AND SUBSEQUENT ENVIRONMENTAL IMPACT REPORT

NOTICE IS HEREBY GIVEN PURSUANT TO THE CALIFORNIA COMMUNITY REDEVELOPMENT LAW AND THE CITY OF FRESNO LOCAL PLANNING AND PROCEDURES ORDINANCE, of the following public meetings and public hearings to consider and act upon the proposed redevelopment plan amendments (the "2010 Amendments to Fresno Merger No. 2" or "Amendments"), and related documents. All evidence and testimony concerning the 2010 Amendments and the related Subsequent Environmental Impact Report will be considered by the various entities at the following public meetings and public hearings:

PUBLIC INFORMATION MEETING :

DATE: Monday, September 13, 2010
TIME: 6:00 pm
PLACE: West Fresno Regional Center at Edison Plaza
Conference Room
188 E. California Ave
Fresno, CA 93706

HOUSING AND COMMUNITY DEVELOPMENT COMMISSION (HCDC) PUBLIC MEETING:

DATE: Wednesday, October 27, 2010
TIME: 5:00 P.M.
PLACE: City Council Chambers
Fresno City Hall, Second Floor
2600 Fresno Street
Fresno, California

FRESNO CITY PLANNING COMMISSION PUBLIC HEARING:

DATE: Wednesday, November 3, 2010
TIME: 6:00 P.M.
PLACE: City Council Chambers
Fresno City Hall, Second Floor

REDEVELOPMENT AGENCY AND COUNCIL OF THE CITY OF FRESNO JOINT PUBLIC HEARING:

DATE: Thursday, November 18, 2010
TIME: 1:30 P.M.
PLACE: City Council Chambers
Fresno City Hall, Second Floor

The Merged Fresno Project Area 2 ("Fresno Merger No.2") was created in 1998 by the merger of two (2) constituent redevelopment project areas. The constituent project areas and the year of adoption for each are as follows:

- Southwest Fresno GNRA (1969)
- Fruit/Church (1971)

The boundaries of Fresno Merger No.2 encompassing the constituent project areas, are generally bounded by Highway 99 to the Southwest, the 180 Freeway to the north, West Street to the west, Church Street to the south, and Highway 99 (again) to the northeast. It also

includes properties along and adjacent to Elm Street between Church Street and North Avenue, and properties along and adjacent to North Avenue between Lee Avenue and Cherry Avenue.

The Fresno Redevelopment Agency ("Agency") is in the process of adopting the proposed 2010 Amendments to Fresno Merger No. 2. Although merged, the constituent project areas retain separate redevelopment plans, including separate time and financial limits. The proposed Amendments include: 1) increasing the tax increment limits; 2) increasing the time limit on plan effectiveness; 3) increasing the time limits to receive tax increment and repay bonded indebtedness; and 4) extending the time limit on the Agency's authority to utilize eminent domain in all of the constituent Plans, except on property on which persons lawfully reside.

The purpose of public hearings is to provide an opportunity for any and all interested persons or public or private agencies to be heard or present any oral or written testimony or evidence in support or not in support of any matter in connection with or affecting the proposed Amendments. Persons may present any objections to the content or adequacy of the Amendments and the Subsequent Environmental Impact Report or to the regularity of any of the prior proceedings, or why the proposed Amendments and Subsequent Environmental Impact Report should not be adopted as set forth above.

All interested persons are encouraged to attend and participate in the public information meeting and public hearings. At any time not later than the hour set forth above for the joint hearings of the Council and Agency, any person may file in writing with the City Clerk of the City of Fresno, 2nd floor in Fresno City Hall, at 2600 Fresno Street, Fresno, California 93721, a statement in support or not in support of the proposed Amendments and the Subsequent Environmental Impact Report. Any person desiring to be heard will be afforded such an opportunity at said day, time and place. Interested persons may obtain more information by contacting David Martin, Project Manager, at (559) 621-7600, in the Redevelopment Agency of the City of Fresno, located at 2344 Tulare Street, Suite 200, Fresno, California 93721, between the hours of 8 a.m. and 5 p.m., Monday through Friday, except holidays.

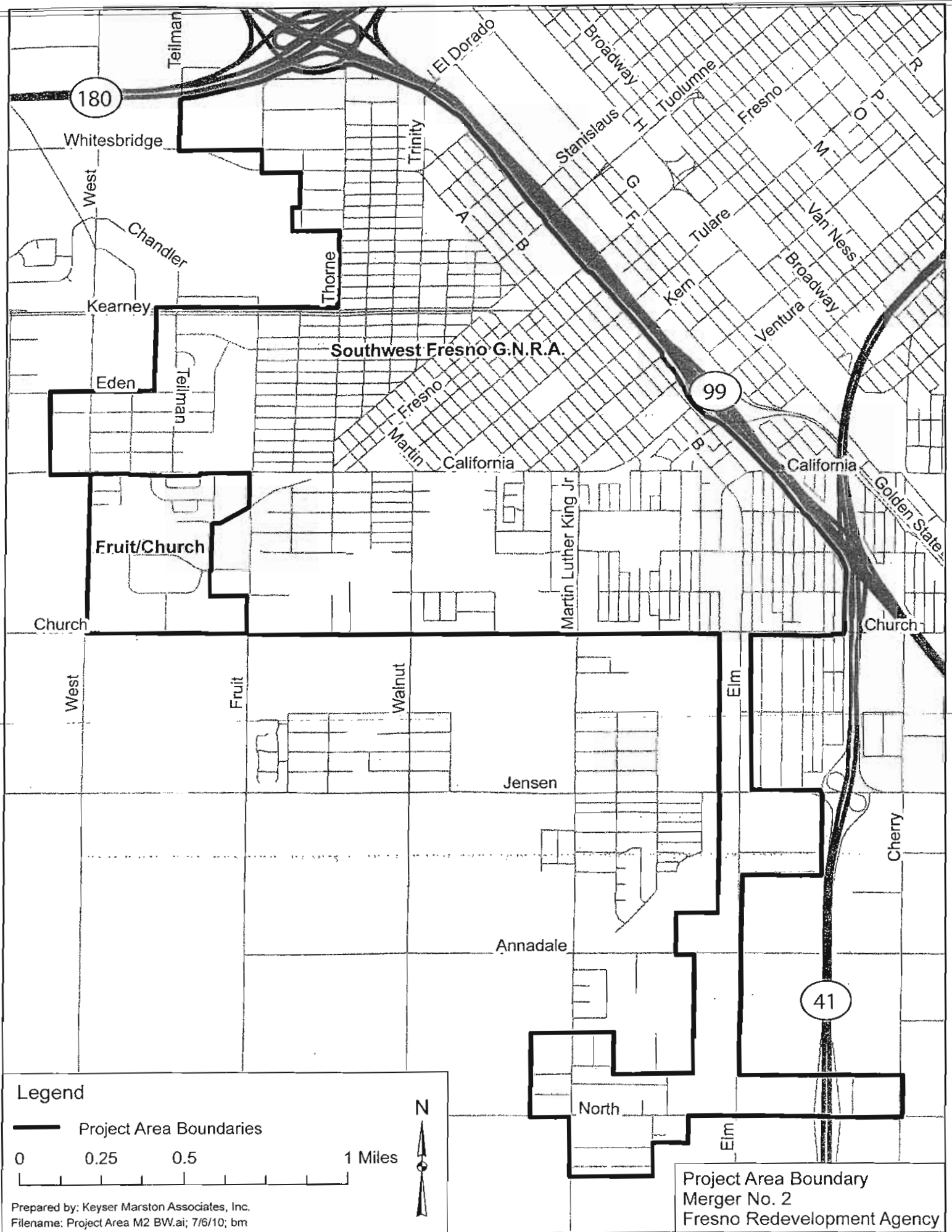
Interested persons may inspect and, upon payment of costs for reproduction, may obtain copies of the proposed Amendments and the Subsequent Environmental Impact Report, and other information pertaining thereto at the offices of either the City Clerk or the Redevelopment Agency at the above noted addresses. Copies of documents are also available for review at the Fresno County Main Library, Reference Desk, at 2420 Mariposa Street, in the downtown area of Fresno, California.

Note: If you challenge the proposed Amendments and/or Subsequent Environmental Impact Report in court, you may be limited to raising only those issues you or someone else raised at the public hearings described in this notice or in written correspondence delivered to the Housing and Community Development Commission, the Planning Commission, the Redevelopment Agency, or City Council at, or before, the joint public hearing of the Agency and Council.

BY ORDER OF THE CITY COUNCIL AND REDEVELOPMENT AGENCY OF THE CITY OF FRESNO.

Dated:

MARLENE MURPHEY
Executive Director





Public Information Meeting

PROPOSED AMENDMENTS TO SOUTHWEST FRESNO GNRA AND FRUIT/CHURCH REDEVELOPMENT PLANS AND ADOPTION OF A SUBSEQUENT ENVIRONMENTAL IMPACT REPORT IN THE MERGER 2 PROJECT AREA

MEETING AGENDA

Monday, September 13, 2010, 6:00pm to 7:30pm
West Fresno Regional Center at Edison Plaza
Conference Room
188 E. California Avenue
Fresno, Ca 93706

1. Welcome and Introduction of Public Agency Representatives—George Finley
 - Meeting Agenda and Format
2. Why We are Here and Why This is Important (PowerPoint)—Denise Bickerstaff
 - Purpose of meeting
 - What is Redevelopment
3. Agency Accomplishments (PowerPoint)—John Raymond
 - Discuss the numerous Agency projects in the project areas
4. Overview of the Plan Amendment Process (PowerPoint)—Denise Bickerstaff
 - Explain the redevelopment process as well as the environmental process
 - Overview of Public Review Process--Public Hearings and Meetings with Housing and Community Development (10/27/10), Planning Commission (11/3/10), and City Council/Redevelopment Agency (11/18/10)
5. Concluding Remarks—George Finley
6. Questions and/or Comments from the Public
7. Adjournment 7:30pm

The Merger 2 Plan Amendment documents discussed in this meeting may be reviewed at the following locations:

- Redevelopment Agency of the City of Fresno, 2344 Tulare St, Suite 200
- City of Fresno Clerk's Office, 2600 Fresno Street
- Fresno County Library Main Branch Reference Desk, 2420 Mariposa Street
- West Fresno Branch Library, 188 E. California Avenue
- Redevelopment Agency website: www.fresnorda.com

Should you have any questions, please contact David Martin or Terry Cox at (559) 621-7600.
Please submit all written comments to:

David Martin
Redevelopment Agency of the City of Fresno
2344 Tulare Street, Suite 200
Fresno, CA 93721
E-Mail: David.Martin@fresno.gov
FAX: (559) 498-1870

NOTICE OF PUBLIC MEETINGS AND HEARINGS REGARDING:

THE PROPOSED 2010 AMENDMENTS TO THE REDEVELOPMENT PLANS FOR FRESNO MERGER NO.2 AND SUBSEQUENT ENVIRONMENTAL IMPACT REPORT

NOTICE IS HEREBY GIVEN PURSUANT TO THE CALIFORNIA COMMUNITY REDEVELOPMENT LAW AND THE CITY OF FRESNO LOCAL PLANNING AND PROCEDURES ORDINANCE, of the following public meetings and public hearings to consider and act upon the proposed redevelopment plan amendments (the "2010 Amendments to Fresno Merger No. 2" or "Amendments"), and related documents. All evidence and testimony concerning the 2010 Amendments and the related Subsequent Environmental Impact Report will be considered by the various entities at the following public meetings and public hearings:

PUBLIC INFORMATION MEETING II :

DATE: Monday October 11, 2010
TIME: 6:00 pm
PLACE: The Sanctuary Church
847 Waterman Ave
Fresno, CA 93706

HOUSING AND COMMUNITY DEVELOPMENT COMMISSION (HCDC) PUBLIC MEETING:

DATE: Wednesday, October 27, 2010
TIME: 5:00 pm
PLACE: City Council Chambers
Fresno City Hall, Second Floor
2600 Fresno Street
Fresno, California

FRESNO CITY PLANNING COMMISSION PUBLIC HEARING:

DATE: Wednesday, October 20, 2010 (Rescheduled from 11-03-2010)
TIME: 6:00 pm
PLACE: City Council Chambers
Fresno City Hall, Second Floor

REDEVELOPMENT AGENCY AND COUNCIL OF THE CITY OF FRESNO JOINT PUBLIC HEARING:

DATE: Thursday, December 9, 2010 (Rescheduled from 11-18-2010)
TIME: 1:30 pm
PLACE: City Council Chambers
Fresno City Hall, Second Floor

The Merged Fresno Project Area 2 ("Fresno Merger No.2") was created in 1998 by the merger of two (2) constituent redevelopment project areas. The constituent project areas and the year of adoption for each are as follows:

- Southwest Fresno GNRA (1969)
- Fruit/Church (1971)

The boundaries of Fresno Merger No.2 encompassing the constituent project areas, are generally bounded by Highway 99 to the Southwest, the 180 Freeway to the north, West Street to the west, Church Street to the south, and Highway 99 (again) to the northeast. It also includes properties along and adjacent to Elm Street between Church Street and North Avenue, and properties along and adjacent to North Avenue between Lee Avenue and Cherry Avenue.

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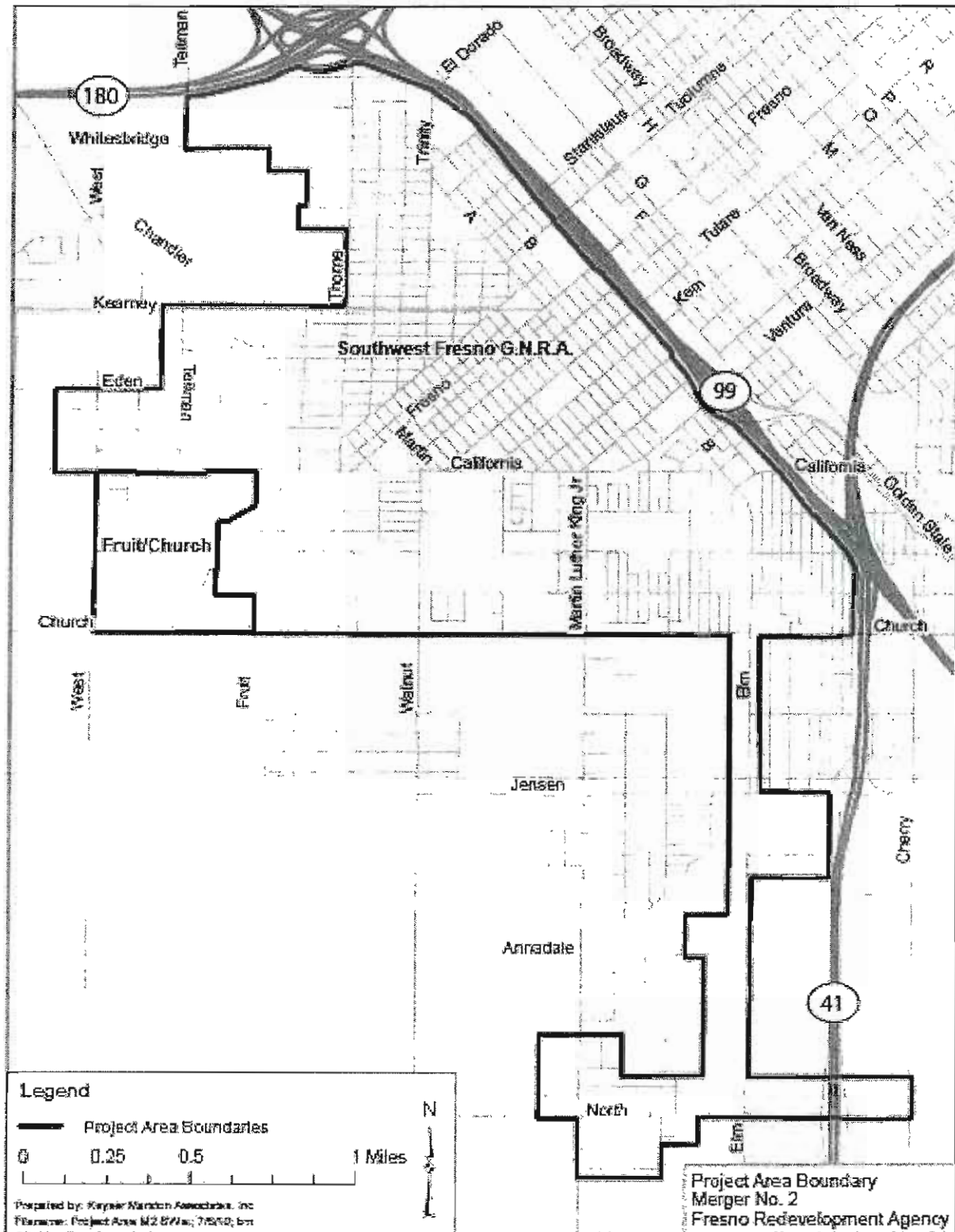
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BY ORDER OF THE CITY COUNCIL AND REDEVELOPMENT AGENCY OF THE CITY OF FRESNO.

Dated:

MARLENE MURPHEY
Executive Director



Note: The properties within the boundaries of Fruit/Church and Southwest Fresno G.N.R.A., below, are subject to acquisition by purchase or condemnation pursuant to the Redevelopment Plan; provided, however, the Agency shall not acquire, by eminent domain, any property in any part of the Project Area on which any persons lawfully reside. For purposes of this Plan, "property on which any persons lawfully reside" shall mean that a person lawfully lives on the property, and that the property is zoned for residential use, or that the residential use on the property is a legally non-conforming use, as defined by the City of Fresno Municipal Code.

Redevelopment Agency
of the City of Fresno



2344 TULARE, SUITE 200
FRESNO, CA 93721

Phone (559) 621-7600
Fax (559) 498-1870

Public Information Meeting

**PROPOSED AMENDMENTS TO SOUTHWEST FRESNO GNRA
AND FRUIT/CHURCH REDEVELOPMENT PLANS AND
ADOPTION OF A SUBSEQUENT ENVIRONMENTAL IMPACT REPORT
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6. Questions and/or Comments from the Public
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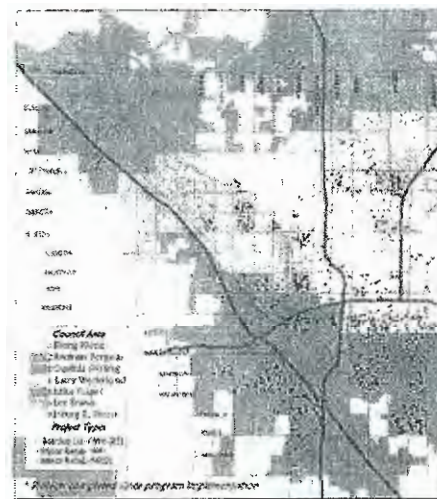
David Martin
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FAX: (559) 498-1870

Agency Activities & Accomplishments

Merger 2

Neighborhood Revitalization

- ▶ Community Housing Partnership Program (CHPP)
- ▶ Major/Minor loans, Boarded Up/Infill, Multi-Family housing
- ▶ 332 Completed rehabs in SW Fresno



Kearney Palms Shopping Center

- ▶ \$10.23 million shopping center
- ▶ Agency assembled land necessary for the site
- ▶ The 12 acre site includes 100,000 sq. ft. of commercial space, 620 parking spaces and 8,000 sq. ft. police substation
- ▶ Project created an estimated 350 permanent jobs

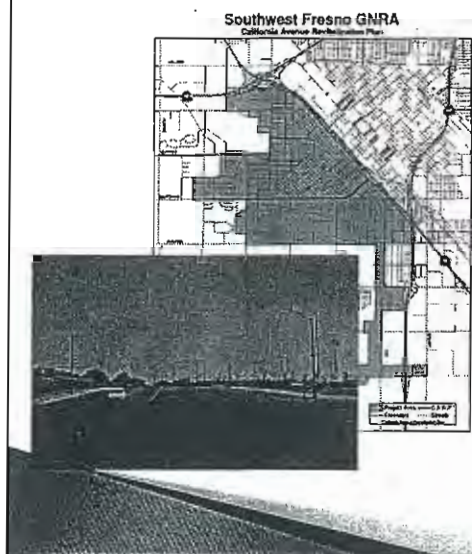


HOPE VI Master Plan



- ▶ \$20 million grant leveraged with local funds
- ▶ \$1.8 million Community Enrichment Center completed in December 2007
- ▶ Yosemite Village, Community Enrichment Center, 53 new homes, and 69 new and rehabilitated units
- ▶ Agency participated by acquiring land and constructing street improvements for the project

California Ave. Improvements and Land Acquisition



- ▶ California Street widening completed from Walnut to Plumas and West to Fruit Avenues
- ▶ Future widening from Fruit to Plumas and Walnut to MLK
- ▶ Walnut realignment, landscaped medians, curb, gutter, sidewalk, utility relocation
- ▶ Agency acquired land

California Walnut Mixed-Use Edison Plaza Project, Phase I

- ▶ \$12 million project
- ▶ Agency assembled land and provided offsite improvements
- ▶ Regional Resource Center and Library
- ▶ Planned 25,000 sq. ft. office space and 7,000 sq. ft. commercial space
- ▶ One of the largest developments in Southwest Fresno since the Kearney Palms project (2000)



California Ave. Revitalization Plan (CAR)



Highway 99 to West Avenue

- › City Council adopted Agency CAR Plan in 2003 identifying significant projects along the California Corridor from S.R. 99 to West Avenue
- › Significant Projects Completed or Underway
 - EOC Neighborhood Youth Center, Casa San Miguel, Lincoln School, Pocket Parks, CA Triangle, California/Walnut Mixed-Use (Phase I & II), Edison Track and Fields, Yosemite Village Rehab & Expansion, Walnut Avenue Improvements, Walnut/Plumas Realignment, Elm Avenue Housing, Hope VI Master Plan, California Avenue Improvements

EOC Neighborhood Youth Center

- › 66,000 sq. ft. project consisting of a Recreation Building, Administrative Offices, Vocational Training Facility, and Career Training Charter School for at-risk youths
- › Planned Community "Splash Park"



Casa San Miguel



- ▶ Agency negotiated an Agreement with the National Farm Workers Service Center to assist in construction of 41 single family homes
- ▶ This project in conjunction with several other local agencies provided housing for displaced residents who were previously living in proximity to a hazardous waste site

California Triangle

- ▶ Land is currently being assembled for a 3 acre mixed-use housing project site
- ▶ The Agency will solicit proposals for development of site upon completion of land assembly



Edison High School Improvements



- › Agency entered into a joint use funding agreement with Fresno Unified School District to provide construction and improvements of their athletic fields.
- › Improvements Included:
 - All-weather track
 - Runway
 - Concession/restrooms
 - Lighting/fencing
 - Updated irrigation
 - Baseball fields

Elm Avenue Business Corridor

- › Reconstructed four-lane, divided, landscaped arterial street
- › Over 1.3 million sq. ft. of new industrial space has been constructed
- › The new construction has contributed more than \$35 million in new construction value and assessed valuation
- › 475 jobs created



Southwest Fresno Community Meetings



- › Series of 22 community meetings with the Golden Westside Community in 2008-2009
- › Presented overview of redevelopment projects and plans at 11 Southwest Fresno school sites

Tulare Street Improvements

- › West Fresno Community Vision Plan adopted by City Council in 2003 compiled with input from over 300 community participants
- › Implementation of the Plan included construction of two landscaped median islands on Tulare Street from "E" to "C" Streets
- › Planned median island construction from "C" to "A" Streets in 2011



San Joaquin & "B" Street Project



- Construction of 16 new single family homes at San Joaquin & "B" Streets
- Agency provided offsite improvements (curb, gutters, and sidewalks)
- 45 year covenants were recorded on 3 of the 16 homes

Triple A Burger



- New construction replacing 30 year old commercial building on same site
- Agency assisted in offsite improvements (curbs, gutters, and sidewalks)
- Operational site of restaurant expanded from 750 sq. ft. to 1,500 sq. ft. with an additional new retail space of 3,500 sq. ft. providing up to 25 new jobs

La Vera Williams Day Care

- › 9,500 sq. ft. day care center at Fresno St. and "A" Streets
- › Agency assembled the land for facility and parking
- › Agency provided off-site improvements including curb, gutter, sidewalk and landscaping
- › Business owner also participated in Storefront Improvement Program
- › Facility accommodates 130 children



California and Fruit Ave. Brownfields Cleanup Grant

- › Agency applied and received \$200,000 grant from EPA
- Agency provided \$85,000 matching funds
- › Installation of vapor extraction system, ground water monitoring wells, soil vapor wells, air sparge wells, catalytic oxidizer unit, and granular activated carbon unit
- › After cleanup, will advertise for developer proposals for housing per City's adopted Edison Community Plan
- › Total cost of clean-up: \$285,000



Summer Hill Place



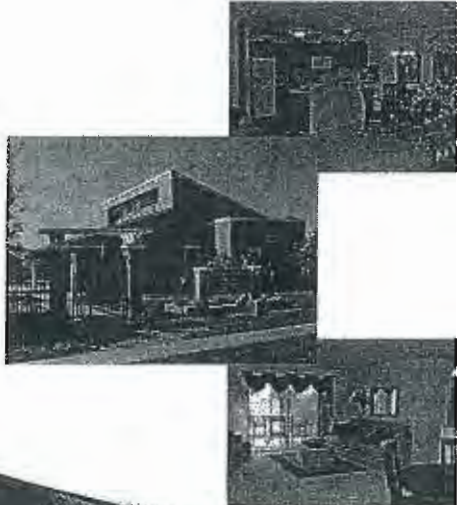
- › Multiple parcel project
 - 1.39 acres and 1.52 acres fronting Elm Avenue
- › Total project providing 49 multi-family housing units
- › Total project cost: \$8.4 million

Westgate Gardens

- › Rehabilitation of a 100 existing family rental units
 - Provided up to \$30,000 per unit in improvements
- › Agency utilized housing set aside funds



Martin Luther King Square



- ▶ Major rehabilitation of 92 unit housing complex at Florence and MLK
- ▶ Agency provided \$500,000 for acquisition and rehabilitation costs of the \$8.4 million project

South Clara Estates



- ▶ Construction of 11 single family homes
- ▶ The Agency provided reimbursement for off site improvement construction costs
- ▶ 45 year covenants will be recorded on the homes

Tuolumne-Merced, "A" – "B" St. Alley Improvements

- Agency provided asphalt improvements to alley area as part of continuing Southwest Fresno Alley Improvement Program
- Alley cleared free of debris and weeds

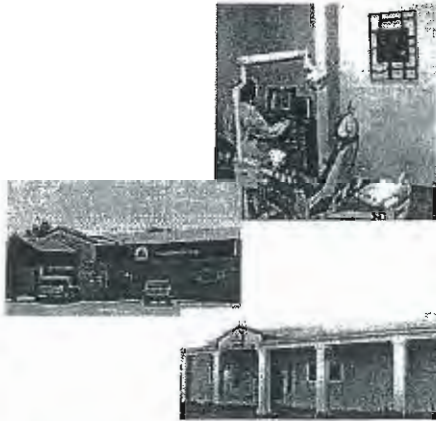


Fink White Park Development/ Improvements



- Total Budget: \$407,247
 - Agency: \$75,000
 - URARR Program: \$285,073
 - State: \$47,174
- Improvements:
 - Resurfaced courts
 - Improved lighting and fencing
 - Installation of picnic table and BBQ's

Clinica Sierra Vista



- › Agency assembled the necessary land to assist in the development of the Southwest Fresno Sequoia Health Center Campus
- › In 2008, the Agency exchanged land with Sierra Clinica, enabling the expansion of the campus and construction of a dental facility on Elm Street
- › Dental Facility currently under construction

Storefront Improvement Program



- › Agency ongoing program providing up to \$3,000 conditional grant per storefront
- › Program provides for assistance to exterior improvements (paint, signage, awnings, windows)

Internship Program

- ▶ Program with Edison High School focusing on career related paths of engineering, public administration, and political science
- ▶ Implemented in 2006
- ▶ A total of seven interns have participated
 - All Edison intern graduates have continued on to related college fields of study



October 15, 2010

Redevelopment Agency City of FRESNO

2344 Tulare Street, Suite 200

Fresno, CA 93721

Subject: Letter of Non-Support regarding The Proposed 2010 Amendments to the Redevelopment Plans GNRA for Fresno Merger No. 2 and the Subsequent Environmental Impact Report

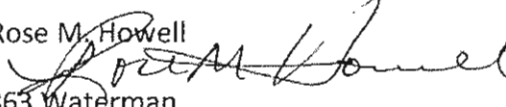
As property owner of 863 Waterman, Fresno, California and as a concerned citizen of the City of Fresno, I am filing this letter as a statement against the approval, and any proposed actions and activities as documented in the Fresno Merger No.2 Redevelopment Plan Amendment Project Draft and Subsequent Environmental Impact Report and related documents SCH No. 2010041058, until further clarification on specific proposed project activities is provided.

At this time there are many unclear issues regarding the past programs of the Fresno Redevelopment Agency's financial transparency and accountability; The following concerns have been raised by a number of Southwest Fresno residents and property owners:

- A. How have allocated funds for the Southwest Fresno GNRA been spent to date? (The agency is herein requested to provide a detailed financial report of the RDA's financial disbursements over the last twenty years, showing that funds designated for specific projects were actually used in the respective areas or neighborhoods for which they were intended and specified for) .
- B. Regarding the specific projects and completion within the 93706 community: There have been some development activity since the completion of the Kearney Palms Shopping Center, however residents of the community have not been informed of the RDA's activity and progress from 1998 thru 2009.
- C. Fairness to the residents of the 93706 community would provide a forensic audit of all RDA expenditures including CDBG funds designated for use in the 93706 area.
- D. There is also concern that public information be disbursed on an ongoing basis after the planning process has been completed.

In conclusion, the proposed redevelopment plan amendments (the GNRA 2010 Amendments to Fresno Merger No.2) should not be approved or acted upon until these issues of accountability have been thoroughly addressed and made available to 93706 residents.

Please direct your responses to: Rose M. Howell


863 Waterman

Fresno, Ca 93706

(559) 579-6990

(559) 230-1455